



General Assembly

Amendment

January Session, 2009

LCO No. 7451

HB0644007451HD0

Offered by:

REP. SPALLONE, 36th Dist.

SEN. SLOSSBERG, 14th Dist.

To: Subst. House Bill No. **6440**

File No. 894

Cal. No. 396

***"AN ACT CONCERNING CERTAIN REVISIONS TO ELECTIONS
RELATED STATUTES."***

1 Strike section 14 in its entirety and renumber the remaining sections
2 and internal references accordingly

3 In line 1166, strike "Subsections (a) and (b)" and insert "Subsection
4 (a)" in lieu thereof

5 In line 1167, strike "are" and insert "is" in lieu thereof

6 Strike lines 1174 to 1185, inclusive, in their entirety

7 In line 1305, strike "January 5, 2009" and insert "January 3, 2011" in
8 lieu thereof

9 In line 1308, strike "January 3, 2011" and insert "January 7, 2013" in
10 lieu thereof

11 In line 1321, strike "January 5, 2009" and insert "January 3, 2011" in

12 lieu thereof

13 In line 1322, strike "3, 2011" and insert " 7, 2013" in lieu thereof

14 After the last section, add the following and renumber sections and
15 internal references accordingly:

16 "Sec. 501. Section 9-1 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 Except as otherwise provided, the following terms, as used in this
19 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,
20 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-
21 18, 45a-19 and 51-95 shall have the following meanings:

22 (a) ["Ballot label"] "Ballot" means paper or other material containing
23 the names of the candidates or a statement of a proposed constitutional
24 amendment or other question or proposition to be voted on;

25 (b) "Board for admission of electors" means the board as composed
26 under subsection (a) of section 9-15a;

27 (c) "Clerical error" means any error in the registry list or enrollment
28 list due to a mistake or an omission on the part of the printer or a
29 mistake or omission made by the registrars or their assistants;

30 (d) "Election" means any electors' meeting at which the electors
31 choose public officials by use of voting [machines] tabulators or by
32 paper ballots as provided in [sections 9-271 and] section 9-272;

33 (e) "Elector" means any person possessing the qualifications
34 prescribed by the Constitution and duly admitted to, and entitled to
35 exercise, the privileges of an elector in a town;

36 (f) Repealed by P.A. 77-298, S. 14;

37 (g) "Municipal clerk" means the clerk of a municipality;

38 (h) "Municipal election" means the regularly recurring election held

39 in a municipality at which the electors of the municipality choose
40 public officials of such municipality;

41 (i) "Municipality" means any city, borough or town within the state;

42 (j) "Official ballot" means the official ballot to be used at an election,
43 or the official [paper] ballot to be used thereat in accordance with the
44 provisions of [sections 9-271 and] section 9-272;

45 (k) "Population" means the population according to the last-
46 completed United States census;

47 (l) "Presidential electors" means persons elected to cast their ballots
48 for President and Vice President of the United States;

49 (m) "Print" means methods of duplication of words by mechanical
50 process, but shall not include typewriting;

51 (n) "Referendum" means (1) a question or proposal which is
52 submitted to a vote of the electors or voters of a municipality at any
53 regular or special state or municipal election, as defined in this section,
54 (2) a question or proposal which is submitted to a vote of the electors
55 or voters, as the case may be, of a municipality at a meeting of such
56 electors or voters, which meeting is not an election, as defined in
57 subsection (d) of this section, and is not a town meeting, or (3) a
58 question or proposal which is submitted to a vote of the electors or
59 voters, as the case may be, of a municipality at a meeting of such
60 electors or voters pursuant to section 7-7 or pursuant to charter or
61 special act;

62 (o) "Regular election" means any state or municipal election;

63 (p) "Registrars" means the registrars of voters of the municipality;

64 (q) "Registry list" means the list of electors of any municipality
65 certified by the registrars;

66 (r) "Special election" means any election not a regular election;

67 (s) "State election" means the election held in the state on the first
68 Tuesday after the first Monday in November in the even-numbered
69 years in accordance with the provisions of the Constitution of
70 Connecticut;

71 (t) "State officers" means the Governor, Lieutenant Governor,
72 Secretary of the State, Treasurer, Comptroller and Attorney General;

73 (u) "Voter" means a person qualified to vote at town and district
74 meetings under the provisions of section 7-6;

75 (v) "Voting district" means any municipality, or any political
76 subdivision thereof, having not more than one polling place in a
77 regular election;

78 (w) "Voting tabulator" means a machine, including, but not limited
79 to, a device which operates by electronic means, for the registering and
80 recording of votes cast at elections, primaries and referenda;

81 (x) "Write-in ballot" means a vote cast for any person whose name
82 does not appear on the official ballot as a candidate for the office for
83 which his name is written in;

84 (y) "The last session for admission of electors prior to an election"
85 means the day which is the seventh day prior to an election.

86 Sec. 502. Section 9-4 of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective from passage*):

88 The Secretary of the State, in addition to other duties imposed by
89 law, shall, as such commissioner, (1) advise local election officials in
90 connection with proper methods of conducting elections and referenda
91 as defined in subsection (n) of section 9-1, and, upon request of a
92 municipal official, matters arising under chapter 99; (2) prepare
93 regulations and instructions for the conduct of elections, as designated
94 by law; (3) provide local election officials with a sufficient number of
95 copies of election laws pamphlets and materials necessary to the
96 conduct of elections; (4) distribute all materials concerning proposed

97 laws or amendments required by law to be submitted to the electors;
98 (5) recommend to local election officials the form of registration cards
99 and blanks; (6) determine, in the manner provided by law, the forms
100 for the preparation of voting [machines] tabulators, for the recording
101 of the vote and the conduct of the election and certification of election
102 returns; (7) prepare the ballot title or statement to be placed on the
103 ballot for any proposed law or amendment to the Constitution to be
104 submitted to the electors of the state; (8) certify to the several boards
105 the form of official ballots for state and municipal offices; (9) provide
106 the form and manner of filing notification of vacancies, nomination
107 and subsequent appointment to fill such vacancies; (10) prescribe,
108 provide and distribute absentee voting forms for use by the municipal
109 clerks; (11) examine and approve nominating petitions filed under
110 section 9-453o; and (12) distribute corrupt practices forms and provide
111 instructions for completing and filing the same.

112 Sec. 503. Subdivision (1) of subsection (a) of section 9-7b of the
113 general statutes is repealed and the following is substituted in lieu
114 thereof (*Effective from passage*):

115 (1) To make investigations on its own initiative or with respect to
116 statements filed with the commission by the Secretary of the State or
117 any town clerk, or upon written complaint under oath by any
118 individual, with respect to alleged violations of any provision of the
119 general statutes relating to any election or referendum, any primary
120 held pursuant to section 9-423, 9-425 or 9-464 or any primary held
121 pursuant to a special act, and to hold hearings when the commission
122 deems necessary to investigate violations of any provisions of the
123 general statutes relating to any such election, primary or referendum,
124 and for the purpose of such hearings the commission may administer
125 oaths, examine witnesses and receive oral and documentary evidence,
126 and shall have the power to subpoena witnesses under procedural
127 rules the commission shall adopt, to compel their attendance and to
128 require the production for examination of any books and papers which
129 the commission deems relevant to any matter under investigation or in
130 question. In connection with its investigation of any alleged violation

131 of any provision of chapter 145, or of any provision of section 9-359 or
132 section 9-359a, the commission shall also have the power to subpoena
133 any municipal clerk and to require the production for examination of
134 any absentee ballot, inner and outer envelope from which any such
135 ballot has been removed, depository envelope containing any such
136 ballot or inner or outer envelope as provided in sections 9-150a and 9-
137 150b and any other record, form or document as provided in section 9-
138 150b, in connection with the election, primary or referendum to which
139 the investigation relates. In case of a refusal to comply with any
140 subpoena issued pursuant to this subsection or to testify with respect
141 to any matter upon which that person may be lawfully interrogated,
142 the superior court for the judicial district of Hartford, on application of
143 the commission, may issue an order requiring such person to comply
144 with such subpoena and to testify; failure to obey any such order of the
145 court may be punished by the court as a contempt thereof. In any
146 matter under investigation which concerns the operation or inspection
147 of or outcome recorded on any voting [machine] tabulator, the
148 commission may issue an order to the municipal clerk to impound
149 such [machine] tabulator until the investigation is completed.

150 Sec. 504. Section 9-35c of the general statutes is repealed and the
151 following is substituted in lieu thereof (*Effective from passage*):

152 Notwithstanding the provisions of sections 9-238, 9-406 and 9-436
153 and other provisions of the general statutes, the names of electors on
154 the inactive registry list compiled under section 9-35 shall not be
155 counted for purposes of computing the number of [voting machines
156 required and the number of] petition signatures required. Each elector
157 on such inactive registry list who, in the determination of the
158 registrars, has signed a petition pursuant to the general statutes, giving
159 the same address as appears on the inactive registry list, shall
160 forthwith be placed on the active registry list compiled under said
161 section 9-35. Each such elector shall be counted for purposes of future
162 computations of the number of [voting machines required and the
163 number of] signatures required on future petitions issued for other
164 electoral events. The names of electors on the inactive registry list

165 compiled pursuant to section 9-35 shall not be counted for purposes of
166 computing the minimum percentage of the number of electors
167 required in any charter or special act, if such charter or special act
168 requires approval of a referendum by a minimum percentage of
169 electors qualified on the last-completed registry list or has a similar
170 requirement.

171 Sec. 505. Subsection (a) of section 9-135a of the general statutes is
172 repealed and the following is substituted in lieu thereof (*Effective from*
173 *passage*):

174 (a) Each absentee ballot shall be arranged to resemble the
175 appropriate ballot [label] and sample ballot [label] as prescribed by
176 law, and shall include, as applicable, the offices, party designations,
177 names of candidates and questions to be voted upon and spaces for
178 write-in votes. A replica of the state seal shall be printed on the ballot.
179 The size, type, form, instructions, specifications for paper and printing
180 and other specifications shall be prescribed by the Secretary of the
181 State. [The Secretary of the State shall provide a ballot facsimile to each
182 municipal clerk for use in preparing the ballot form.]

183 Sec. 506. Subsection (a) of section 9-135b of the general statutes is
184 repealed and the following is substituted in lieu thereof (*Effective from*
185 *passage*):

186 (a) Immediately after the deadline for certification of all candidates
187 whose names are to appear on the ballot, [label,] and in sufficient time
188 to begin issuing absentee ballots on the day prescribed by law, the
189 municipal clerk shall prepare the absentee ballots and have them
190 printed.

191 Sec. 507. Subsections (b) and (c) of section 9-150b of the general
192 statutes are repealed and the following is substituted in lieu thereof
193 (*Effective from passage*):

194 (b) If the absentee ballots were counted at the polls, when all
195 counting is complete the moderator shall publicly declare the result of

196 such count as provided in section 9-309 and add such count to the
197 results from the voting [machines] tabulators recorded on the
198 moderator's return. Such return shall show separately the [machine]
199 tabulator vote and the absentee vote and the totals thereof.

200 (c) If the absentee ballots were counted at a central location, when
201 all counting is complete, the moderator shall publicly declare the result
202 of such count. He shall then deliver to the head moderator the central
203 counting moderator's returns, together with all other information
204 required by law or by the Secretary of the State's instructions. The head
205 moderator shall add the results from the voting [machines] tabulators,
206 recorded on the moderator's return for each polling place, to the
207 absentee count recorded on the central counting moderator's return for
208 the corresponding voting district, in the manner prescribed by the
209 Secretary of the State. The returns so completed shall show separately
210 the [machine] tabulator vote and the absentee vote and the totals
211 thereof.

212 Sec. 508. Section 9-150d of the general statutes is repealed and the
213 following is substituted in lieu thereof (*Effective from passage*):

214 A voting [machine] tabulator approved by the Secretary of the State
215 under section 9-242 may be used to count absentee ballots in any
216 municipality at an election, primary or referendum, provided the
217 registrars of voters of the municipality approve the use of such
218 [machine] tabulator and the Secretary of the State prescribes
219 specifications for (1) the security, testing, set-up, operation and
220 canvassing of the [machine] tabulator, (2) such absentee ballots, and (3)
221 the training of election officials in the use of the [machine] tabulator.

222 Sec. 509. Subsections (a) and (b) of section 9-168a of the general
223 statutes are repealed and the following is substituted in lieu thereof
224 (*Effective from passage*):

225 (a) Any provision of the general statutes to the contrary
226 notwithstanding, in any municipality in which, at any election, or
227 primary, as a result of the assembly, senatorial or congressional district

228 lines in effect, there is a voting district or a part of a voting district
229 which differs geographically from the district lines as constituted in a
230 municipal election year, the registrars of voters may either provide a
231 suitable polling place therein or may, in lieu thereof, with the approval
232 of the legislative body of the municipality, provide separate voting
233 [machines] tabulators in the polling place of another voting district in
234 said municipality for use by such electors. The registrars of voters shall
235 determine which polling place officials are necessary for such separate
236 [machines] tabulators and shall provide the procedure to ensure that
237 the electors use the proper voting [machine] tabulator, which
238 procedure may include the registrars of voters prescribing and
239 providing receipts.

240 (b) Any provision of the general statutes to the contrary
241 notwithstanding, in any municipality in which, at any election or
242 primary, as a result of the assembly, senatorial or congressional district
243 lines in effect, there is a voting district with less than one thousand five
244 hundred electors who vote for a combination of officers that no other
245 electors of the town vote for, the registrars of voters may either
246 provide a suitable polling place therein or may, in lieu thereof, provide
247 separate voting [machines] tabulators in the polling place of another
248 voting district in said municipality for use by such electors. If the
249 registrars of voters provide separate voting [machines] tabulators in
250 the polling place of another voting district, they shall determine which
251 polling place officials are necessary for the district containing less than
252 one thousand five hundred electors and shall provide the procedure to
253 ensure that the electors use the proper voting [machines] tabulator,
254 which procedure may include the registrars of voters prescribing and
255 providing receipts.

256 Sec. 510. Section 9-188 of the general statutes is repealed and the
257 following is substituted in lieu thereof (*Effective from passage*):

258 Unless otherwise provided by law each town shall, at its regular
259 municipal election, elect a first selectman, who shall be town agent
260 unless otherwise provided by law, and two other selectmen or, in the

261 case of any town having a population of ten thousand or more, not
262 more than six other selectmen. The selectmen so elected shall
263 constitute the board of selectmen for such town. Unless otherwise
264 provided by special act, charter or ordinance the votes cast, including
265 any valid write-in votes, for an unsuccessful candidate for first
266 selectman shall be counted as votes for him as a member of such
267 board, provided no elector may be a candidate for both the office of
268 first selectman and that of selectman by virtue of nomination by a
269 major or minor party or a nominating petition or registration of write-
270 in candidacy, or any combination thereof. The provisions of section 9-
271 167a shall apply to the election of selectmen, except that when the total
272 membership of such board is five, the maximum number who may be
273 members of the same political party shall be three, and provided that
274 for the purpose of determining minority representation, the total
275 membership of such board shall be deemed to include the first
276 selectman, unless otherwise provided by special act or charter. Unless
277 otherwise provided by special act, charter or ordinance, an elector shall
278 not vote for more candidates for the office of selectman than a political
279 party can elect pursuant to section 9-167a, provided that the number of
280 such candidates that an elector can vote for shall be deemed to include
281 the first selectman. If the electors fail to elect a first selectman at any
282 election by reason of an equality of votes, such election for the office of
283 first selectman and the election for selectmen shall stand adjourned
284 and such adjourned election shall be held as provided in section 9-332.
285 The [ballot labels] ballots used in such adjourned election shall contain
286 only the names of the candidates for the offices of first selectman and
287 selectman which appeared on the ballot [label] used in the election at
288 which the tie vote resulted for the office of first selectman.

289 Sec. 511. Section 9-224 of the general statutes is repealed and the
290 following is substituted in lieu thereof (*Effective from passage*):

291 If any special election is called to fill a vacancy in any office on the
292 same day as a regular election, the names of the candidates for such
293 office shall be placed on the same [voting machine] ballot as the names
294 of the candidates to be voted for at such regular election, and except as

295 otherwise specifically provided by statute, the provisions of the
296 statutes governing regular elections shall apply to such special
297 election.

298 Sec. 512. Subsection (b) of section 9-229 of the general statutes is
299 repealed and the following is substituted in lieu thereof (*Effective from*
300 *passage*):

301 (b) The Secretary of the State shall (1) request registrars of voters to
302 volunteer to serve as instructors for moderators and alternate
303 moderators, (2) select registrars from among such volunteers to serve
304 as such instructors, (3) establish a curriculum for instructional sessions
305 for moderators and alternate moderators, (4) establish the number of
306 such instructional sessions, provided at least one such instructional
307 session shall be held in each congressional district in each calendar
308 year, (5) train the instructors for such sessions, and (6) certify
309 moderators and alternate moderators. The curriculum for such
310 instructional sessions shall include, without limitation, procedures for
311 counting and recording absentee ballots, "hands on" training in the use
312 of voting [machines] tabulators, and the duties of a moderator in the
313 conduct of a primary and election. The secretary may employ
314 assistants on a temporary basis within existing budgetary resources for
315 the purpose of implementing the provisions of this section. Such
316 assistants shall not be subject to the provisions of chapter 67. The
317 instructors shall conduct instructional sessions for moderators and
318 alternate moderators in accordance with their training by the Secretary
319 of the State and the curriculum for such sessions. Any elector may
320 attend one or more of such instructional sessions. Each instructor shall
321 provide the Secretary of the State with the name and address of each
322 person who completes such a session.

323 Sec. 513. Section 9-234 of the general statutes is repealed and the
324 following is substituted in lieu thereof (*Effective from passage*):

325 Each registrar shall be present during the taking of the vote at any
326 regular or special state or municipal election in his town or district.

327 The assistants in their respective districts shall, when requested by
328 either registrar, be present at the taking of any such vote and discharge
329 the duties of registrars. Each registrar shall appoint some suitable
330 person to check the list in each district, unless the municipality has
331 established two shifts for election officials under the provisions of
332 section 9-258a, in which case each such registrar shall appoint one such
333 person for each district for each shift. Each such person, who is so
334 appointed checker, shall check the name of each elector thereon when
335 he offers his vote, and no voting [machine] tabulator tender shall
336 permit any vote to be cast upon the voting [machine] tabulator until
337 the name has been so checked.

338 Sec. 514. Subsection (b) of section 9-235 of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective from*
340 *passage*):

341 (b) Except for rows of candidates entitled to unofficial checkers
342 under subsection (a) of this section, each group of three or more
343 electors whose names appear in one single row on the [voting
344 machine] ballot [label] in a voting district, may designate not more
345 than two electors of the town in which the voting district is located, to
346 serve as unofficial checkers on behalf of the candidates whose names
347 appear in such row. Such candidates shall submit a list of the names of
348 such designees to the registrars of voters at least forty-eight hours
349 prior to the election. The registrars shall verify that each such designee
350 is an elector of the town and shall appoint not more than two such
351 designees to serve each such row of candidates. The registrars shall, at
352 the request of such a group of three or more electors, change such
353 designations at any time before the closing of the polls on the day of an
354 election.

355 Sec. 515. Section 9-235d of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective from passage*):

357 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258
358 to the contrary, a United States citizen who is sixteen or seventeen

359 years of age and a bona fide resident of a town may be (1) appointed as
360 a challenger or unofficial checker in an election, or (2) appointed as a
361 checker, translator or voting [machine] tabulator tender in an election
362 after (A) attending poll worker training, and (B) receiving the written
363 permission of a parent, guardian or the principal of the school that the
364 citizen attends if the citizen is a secondary school student and the
365 citizen is to be appointed to work on a day when such school is in
366 session.

367 (b) Notwithstanding any provision of section 9-436 or 9-436a to the
368 contrary, a United States citizen who is sixteen or seventeen years of
369 age and a bona fide resident of a town or political subdivision holding
370 a primary may be (1) appointed as a challenger or candidate checker in
371 the primary, or (2) appointed as a checker, translator or voting
372 [machine] tabulator tender in a primary after (A) attending poll worker
373 training, and (B) receiving the written permission of a parent, guardian
374 or the principal of the school that the citizen attends if the citizen is a
375 secondary school student and the citizen is to be appointed to work on
376 a day when such school is in session.

377 Sec. 516. Section 9-236a of the general statutes is repealed and the
378 following is substituted in lieu thereof (*Effective from passage*):

379 Any town, on its own initiative or upon a request by the Secretary of
380 the State, and with the approval of the legislative body of the town or,
381 in the case of a town in which the legislative body is a town meeting,
382 the board of selectmen, may require a spare voting [machine] tabulator
383 or ballot box to be provided inside any polling place or in a room
384 adjacent to the polling place, for the educational use of students from
385 kindergarten to grade twelve, inclusive. Upon such approval, the
386 registrars shall establish procedures for the use of the [machine]
387 tabulator or ballot box, including, but not limited to: (1) Location and
388 preparation of the [machine] tabulator or ballot box, (2) duties of
389 [machine] tabulator or ballot box tenders, and (3) canvassing the
390 returns. Any such machine shall be in addition to the demonstrator or
391 spare voting [machine] tabulator required by section 9-260. Ballots

392 completed by students under this section shall be unofficial, and
393 polling place officials shall not be required to handle or count such
394 ballots. Each student who will be using such [machine] tabulator or
395 ballot box inside a polling place or a room adjacent to the polling place
396 shall be accompanied by an adult. The supervisor of such students for
397 the purposes of this section shall submit the names of all adults who
398 will be working with such students to the registrars at least forty-eight
399 hours before the election.

400 Sec. 517. Section 9-238 of the general statutes is repealed and the
401 following is substituted in lieu thereof (*Effective from passage*):

402 (a) Except as provided in [sections 9-271 and] section 9-272, voting
403 [machines] tabulators shall be used at all elections held in any
404 municipality, or in any part thereof, for voting and registering and
405 counting votes cast at such elections for officers, and upon all
406 questions or amendments submitted at such elections. The board of
407 selectmen of each town, the common council of each city and the
408 warden and burgesses of each borough shall purchase or lease, or
409 otherwise provide, for use at elections in each such municipality a
410 number of voting tabulators approved by the Secretary of the State.
411 Different voting tabulators may be provided for different voting
412 districts in the same municipality. Notwithstanding any provision of
413 this subsection to the contrary, the registrars of voters of a
414 municipality may determine the number of voting tabulators that shall
415 be provided for use at any special election in such municipality,
416 provided the registrars shall provide at least one voting tabulator in
417 the municipality or, in a municipality divided into voting districts, at
418 least one voting tabulator in each such district.

419 (b) Upon the purchase or lease of a voting tabulator for use in any
420 municipality, the officials of such municipality purchasing or leasing
421 the same shall forthwith send notification in writing to the Secretary of
422 the State of the name or make of such tabulator, the name of the person
423 who manufactured the same, the name of the person from whom it
424 was purchased or leased and the date on which it was purchased or

425 leased. No voting tabulator shall be used in an election which, in the
426 opinion of the Secretary of the State, does not conform to the
427 requirements of law, is unsuitable for use in such election or does not
428 comply with the voluntary performance and test standards for voting
429 systems adopted by the Election Assistance Commission pursuant to
430 the Help America Vote Act, P.L. 107-252, 43 USC 15481. When in any
431 municipality the use of a voting tabulator at elections is discontinued
432 because of its age or condition or because it is sold, or for any other
433 reason, such officials shall send written notification to the Secretary of
434 the discontinuance of such tabulator, of the time of and reason for such
435 discontinuance and of the information required in connection with
436 notification of original purchasing or leasing.

437 Sec. 518. Section 9-238a of the general statutes is repealed and the
438 following is substituted in lieu thereof (*Effective from passage*):

439 During the first week of February in each year, the town clerk of
440 each town shall notify the Secretary of the State, on a form provided by
441 said secretary, of the total number of [names on the active registry list
442 and on each enrollment list and the total number of unaffiliated
443 electors, in such town, and of the total number of] voting [machines]
444 tabulators therein and, in towns divided into voting districts, in
445 addition, the same information for each voting district. If the number
446 of [machines] tabulators listed in such notification is less than the
447 number required under section 9-238, the town clerk shall include in
448 such notification an explanation of the discrepancy. Each such clerk
449 shall also file a duplicate copy of such notification with the officials
450 who are required to provide voting [machines] tabulators in his
451 municipality under section 9-238.

452 Sec. 519. Section 9-239 of the general statutes is repealed and the
453 following is substituted in lieu thereof (*Effective from passage*):

454 The fiscal authority in each municipality shall authorize payment of
455 the bill incurred for the purchase or lease or other method of
456 acquisition of an adequate number of voting [machines] tabulators

457 incurred by the officials responsible for providing the same under the
458 provisions of section 9-238.

459 Sec. 520. Section 9-240 of the general statutes is repealed and the
460 following is substituted in lieu thereof (*Effective from passage*):

461 The board of selectmen in each town, unless otherwise provided by
462 law, shall provide or may authorize the registrars to provide a suitable
463 room or rooms and voting [machine] booths for holding all elections.
464 The interior of the booths shall be secure from outside observation.
465 Said board shall provide for each polling place, in accordance with the
466 requirements of section 9-238, one or more voting [machines]
467 tabulators in complete working order, and shall preserve and keep
468 them in repair and have the custody of the voting [machines]
469 tabulators, and the care and custody of the furniture and equipment of
470 the polling place, when not in use at an election.

471 Sec. 521. Section 9-240a of the general statutes is repealed and the
472 following is substituted in lieu thereof (*Effective from passage*):

473 Not more than two hundred ten days nor less than thirty days prior
474 to each regular election for state officers, each voting [machine]
475 tabulator to be used in the next succeeding regular election, including
476 additional [machines] tabulators required under section 9-238, shall be
477 examined by the company which manufactured the same or its
478 successor or, with the approval of the Secretary of the State, by persons
479 skilled in the mechanics and operation of said [machines] tabulator, for
480 the purpose of determining that such [machine] tabulator is in sound
481 operable condition for use in such election. Arrangements for such
482 examination shall be made by the officials responsible for providing
483 voting [machines] tabulators under section 9-238. The company or
484 person making such examination shall file a report with respect to each
485 [machine] tabulator with the Secretary of the State and with said
486 officials, indicating whether or not such [machine] tabulator is in
487 sound operable condition. When, as a result of any such examination, a
488 [machine] tabulator is found not to be in sound operable condition,

489 said officials shall have such machine repaired, or shall provide a
490 voting [machine] tabulator in sound operable condition to replace the
491 [machine] tabulator found inoperable. The cost for such examination in
492 each town shall be paid by such town. Failure to cause the examination
493 of a voting [machine] tabulator, as herein required, shall not, of itself,
494 prevent the use of such [machine] tabulator in any election.

495 Sec. 522. Subsection (a) of section 9-241 of the general statutes is
496 repealed and the following is substituted in lieu thereof (*Effective from*
497 *passage*):

498 (a) Any person owning or holding an interest in any voting
499 [machine] tabulator, as defined in subsection (w) of section 9-1, may
500 apply to the Secretary of the State to examine such [machine] tabulator
501 and report on its accuracy and efficiency. The Secretary of the State
502 shall examine the [machine] tabulator and determine whether, in the
503 Secretary's opinion, the kind of [machine] tabulator so examined (1)
504 meets the requirements of section 9-242, (2) can be used at elections,
505 primaries and referenda held pursuant to this title, and (3) [in the case
506 of an electronic voting machine examined by the Secretary after the
507 Voting Technology Standards Board submits the report required under
508 section 9-242c, complies with the standards adopted by said board
509 under section 9-242c] complies with applicable standards for electronic
510 voting tabulators. If the Secretary of the State determines that the
511 [machine] tabulator can be so used, such [machine] tabulator may be
512 adopted for such use. No [machine] tabulator not so approved shall be
513 so used. Each application shall be accompanied by a fee of one
514 hundred dollars and the Secretary of the State shall not approve any
515 [machine] tabulator until such fee and the expenses incurred by the
516 Secretary in making the examination have been paid by the person
517 making such application. Any voting [machine] tabulator company
518 that has had its voting [machine] tabulator approved and that
519 subsequently alters such [machine] tabulator in any way shall provide
520 the Secretary of the State with notice of such alterations, including a
521 description thereof and a statement of the purpose of such alterations.
522 If any such alterations appear to materially affect the accuracy,

523 appearance or efficiency of the [machine] tabulator, or modify the
524 [machine] tabulator so that it can no longer be used at elections,
525 primaries or referenda held pursuant to this title, at the discretion of
526 the Secretary of the State, the company shall submit such alterations
527 for inspection and approval, at its own expense, before such altered
528 [machines] tabulators may be used. The Secretary of the State may
529 adopt regulations, in accordance with the provisions of chapter 54,
530 concerning examination and approval of voting [machines] tabulators
531 under this section. No voting [machine] tabulator that records votes by
532 means of holes punched in designated voting response locations may
533 be approved or used at any election, primary or referendum held
534 pursuant to this title.

535 Sec. 523. Section 9-242 of the general statutes is repealed and the
536 following is substituted in lieu thereof (*Effective from passage*):

537 (a) A voting [machine] tabulator approved by the Secretary of the
538 State shall be so constructed as to provide facilities for voting for the
539 candidates of at least nine different parties or organizations. It shall
540 permit voting in absolute secrecy. It shall be provided with a lock by
541 means of which any illegal movement of the voting or registering
542 mechanism is absolutely prevented. Such [machine] tabulator shall be
543 so constructed that an elector cannot vote for a candidate or on a
544 proposition for whom or on which he is not lawfully entitled to vote.

545 (b) It shall be so constructed as to prevent an elector from voting for
546 more than one person for the same office, except when he is lawfully
547 entitled to vote for more than one person for that office, and it shall
548 afford him an opportunity to vote for only as many persons for that
549 office as he is by law entitled to vote for, at the same time preventing
550 his voting for the same person twice. It shall be so constructed that all
551 votes cast will be registered or recorded by the machine.

552 (c) Notwithstanding the provisions of subsection (b) of this section,
553 the Secretary of the State may approve a voting [machine] tabulator
554 which requires the elector in the polls to place his ballot into the

555 recording device and which meets the voluntary performance and test
556 standards for voting systems adopted by (1) the Federal Election
557 Commission on January 25, 1990, as amended from time to time, or (2)
558 the Election Assistance Commission pursuant to the Help America
559 Vote Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended from time
560 to time, whichever standards are most current at the time of the
561 Secretary of the State's approval, and regulations which the Secretary
562 of the State may adopt in accordance with the provisions of chapter 54,
563 provided the voting [machine] tabulator shall (A) warn the elector of
564 overvotes, (B) not record overvotes, and (C) not record more than one
565 vote of an elector for the same person for an office.

566 (d) Any direct recording electronic voting [machine] tabulator
567 approved by the Secretary of the State for an election or primary held
568 on or after July 1, 2005, shall be so constructed as to:

569 (1) (A) Contemporaneously produce an individual, permanent,
570 paper record containing all of the elector's selections of ballot
571 preferences for candidates and questions or proposals, if any, prior to
572 the elector's casting a ballot, as set forth in this subsection, and (B)
573 produce at any time after the close of the polls a voting [machine]
574 tabulator generated, individual, permanent, paper record of each such
575 elector's selections of ballot preferences for candidates and questions
576 or proposals, if any. Both the contemporaneously produced paper
577 record and the voting [machine] tabulator generated paper record of
578 each elector's selections of ballot preferences shall include a voting
579 [machine] tabulator generated unique identifier that can be matched
580 against each other and which preserves the secrecy of the elector's
581 ballot as set forth in subdivision (4) of this subsection;

582 (2) Provide each elector with an opportunity to verify that the
583 contemporaneously produced, individual, permanent, paper record
584 accurately conforms to such elector's selection of ballot preferences, as
585 reflected on the electronic summary screen, and to hear, if desired, an
586 audio description of such electronic summary screen, for the purpose
587 of having an opportunity to make any corrections or changes prior to

588 casting the ballot. If an elector makes corrections or changes prior to
589 casting the ballot, the voting [machine] tabulator shall void such
590 contemporaneously produced paper record, contemporaneously
591 produce another paper record containing such corrections or changes
592 and provide the elector with another opportunity to verify ballot
593 preferences in accordance with the provisions of this subdivision. As
594 used in this section, "electronic summary screen" means a screen
595 generated by a direct recording electronic voting [machine] tabulator
596 that displays a summary of an elector's selections of ballot preferences
597 for candidates and questions or proposals, if any, at an election or
598 primary;

599 (3) Provide that a ballot shall be deemed cast on the voting
600 [machine] tabulator at the time that an elector's contemporaneously
601 produced, individual, permanent, voter-verified paper record,
602 containing all of the elector's final selections of ballot preferences, is
603 (A) deposited inside a receptacle designed to store all such paper
604 records produced by such voting [machine] tabulator on the day of the
605 election or primary, and (B) the elector's selection of ballot preferences
606 is simultaneously electronically recorded inside the voting [machine]
607 tabulator for the purpose of (i) being electronically tabulated
608 immediately after the polls are closed on the day of the election or
609 primary, and (ii) producing, on such other day as required under
610 section 9-242b, a voting [machine] tabulator generated, individual,
611 permanent, paper record of each such elector's selections of ballot
612 preferences for candidates and questions or proposals, if any;

613 (4) Except as otherwise provided in subdivision (1) of section 9-
614 242b, secure the secrecy of each such elector's ballot by making it
615 impossible for any other individual to identify the elector in
616 relationship to such elector's selection of ballot preferences at the time
617 that the elector (A) selects ballot preferences; (B) verifies the accuracy
618 of the electronic summary screen by comparing it to the
619 contemporaneously produced, individual, permanent, paper record or
620 the audio description of such electronic summary screen, prior to
621 casting a ballot; (C) makes corrections or changes by reselecting ballot

622 preferences and verifies the accuracy of such preferences in accordance
623 with the provisions of subdivision (2) of this subsection prior to casting
624 a ballot; and (D) casts the ballot; and at the time that all electors' ballots
625 are canvassed, recanvassed or otherwise tallied to produce a final
626 count of the vote for candidates and questions or proposals, if any,
627 whether through the electronic vote tabulation process or through the
628 manual count process of each elector's contemporaneously produced,
629 individual, permanent, voter-verified paper record, as set forth in
630 section 9-242b; and

631 (5) (A) Be accessible to blind or visually impaired persons by
632 providing each elector, if desired by the elector, an audio description
633 of the contemporaneously produced individual, permanent, paper
634 record containing all of the elector's selections of ballot preferences, in
635 addition to an audio description of the electronic summary screen and
636 comply with such additional standards of accessibility included in
637 regulations that the Secretary of the State may adopt in accordance
638 with the provisions of chapter 54.

639 (B) Notwithstanding the provisions of subparagraph (A) of this
640 subdivision, on or before June 30, 2007, the Secretary of the State may
641 approve an electronic voting [machine] tabulator that does not comply
642 with the provisions of said subparagraph if (i) the Secretary
643 determines that there are no electronic voting [machines] tabulators
644 available for purchase or lease at the time of such approval that are
645 capable of complying with said subparagraph (A), (ii) the electronic
646 voting [machine] tabulator complies with the provisions of
647 subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person
648 applying to the Secretary for approval of the electronic voting
649 [machine] tabulator agrees to include a provision in any contract for
650 the sale or lease of such voting [machines] tabulators that requires such
651 person, upon notification by the Secretary that modifications to such
652 [machines] tabulators that would bring the [machines] tabulators into
653 compliance with said subparagraph (A) are available, to (I) so modify
654 any electronic voting [machines] tabulators previously sold or leased
655 under such contract in order to comply with said subparagraph (A),

656 and (II) provide that any electronic voting [machines] tabulators sold
657 or leased after receipt of such notice comply with said subparagraph
658 (A). No voting [machine] tabulator approved under this subparagraph
659 shall be used on or after July 1, 2007, unless it has been modified to
660 comply with the provisions of subparagraph (A) of this subdivision.

661 Sec. 524. Section 9-242b of the general statutes is repealed and the
662 following is substituted in lieu thereof (*Effective from passage*):

663 The following procedures shall apply to any election or primary in
664 which one or more direct recording electronic voting [machines]
665 tabulators are used:

666 (1) Any elector who requires assistance by reason of blindness,
667 disability, or inability to read or write shall have the right to request
668 assistance inside the voting booth by a person of the elector's choice in
669 accordance with 42 USC 1973aa-6, as amended from time to time, or
670 section 9-264.

671 (2) A canvass of the votes shall take place inside the polling place
672 immediately following the close of the polls on the day of the election
673 or primary in accordance with the requirements of chapter 148. With
674 respect to direct recording electronic voting [machines] tabulators, any
675 such canvass shall be an electronic vote tabulation of all of the votes
676 cast on each such voting [machine] tabulator for each candidate and
677 question or proposal, and the moderator shall attach a printout of such
678 electronic vote tabulation to the tally sheets. The moderator shall then
679 add together all of the votes recorded on each voting [machine]
680 tabulator in use at the polling place, whether or not such voting
681 [machines] tabulators were direct recording electronic voting
682 [machines] tabulators, to produce a cumulative count within the
683 polling place of all candidates and any questions or proposals
684 appearing on the ballot in the election or primary. Any member of the
685 public shall have a right to be present in the polling place to observe
686 the canvass of the votes beginning as soon as the polls are declared
687 closed by the moderator and continuing throughout the canvass of the

688 votes of each voting [machine] tabulator until the final canvass of all of
689 the votes cast on all of the voting [machines] tabulators in use in the
690 polling place are added together for each candidate and question or
691 proposal and publicly announced and declared by the moderator.

692 (3) If a recanvass of the votes is required pursuant to chapter 148,
693 the recanvass officials shall, in addition to the other requirements of
694 said chapter, conduct a manual tally of the individual, permanent,
695 voter-verified, paper records contemporaneously produced by each
696 direct recording electronic voting [machine] tabulator used within the
697 geographical jurisdiction that is subject to such recanvass. The manual
698 tally conducted for the recanvass shall be limited to the particular
699 candidates and questions or proposals that are subject to recanvass. If
700 the manual tabulation of such contemporaneously produced paper
701 records does not reconcile with the electronic vote tabulation of a
702 particular direct recording electronic voting [machine] tabulator or
703 [machines] tabulators, such contemporaneously produced paper
704 records shall be considered the true and correct record of each elector's
705 vote on such electronic voting [machine] tabulator or [machines]
706 tabulators and shall be used as the official record for purposes of
707 declaring the official election results or for purposes of any subsequent
708 recanvass, tally or election contest conducted pursuant to chapters 148
709 to 153, inclusive. If any of the contemporaneously produced
710 individual, permanent, voter-verified paper records are found to have
711 been damaged in such manner as they are unable to be manually
712 tallied with respect to the ballot positions that are the subject of the
713 recanvass, each such damaged record shall be matched against the
714 voting [machine] tabulator generated, individual, permanent, paper
715 record produced by the voting [machine] tabulator bearing the
716 identical [machine-generated] tabulator-generated unique identifier as
717 the damaged record and, in such instance, shall be substituted as the
718 official record for purposes of determining the final election results or
719 for purposes of any subsequent recanvass, tally or election contest.

720 (4) Notwithstanding the provisions of section 9-311, the Secretary of
721 the State may order a discrepancy recanvass under said section of the

722 returns of an election or a primary for a district office, a state office or
723 the office of elector of President and Vice-President of the United
724 States, if the Secretary has reason to believe that discrepancies may
725 have occurred that could affect the outcome of the election or primary.
726 Any such discrepancy recanvass may be conducted of the returns in
727 any or all voting districts in (A) the district in which an election or
728 primary is held, in the case of an election or primary for a district
729 office, or (B) the state, in the case of an election or primary for a state
730 office or the office of elector of President and Vice-President of the
731 United States or a presidential preference primary, whichever is
732 applicable. As used in this subdivision, "district office" and "state
733 office" have the same meanings as provided in section 9-372.

734 (5) Not later than five business days after each election in which a
735 direct recording electronic voting [machine] tabulator is used, the
736 registrars of voters or their designees, representing at least two
737 political parties, shall conduct a manual audit of the votes recorded on
738 at least (A) two direct recording electronic voting [machines]
739 tabulators used in each assembly district, or (B) a number of direct
740 recording electronic voting [machines] tabulators equal to fifty per cent
741 of the number of voting districts in the municipality, whichever is less.
742 Not later than five business days after a primary in which a direct
743 recording electronic voting [machine] tabulator is used, the registrar of
744 voters of the party holding the primary shall conduct such a manual
745 audit by designating two or more individuals, one of whom may be
746 the registrar, representing at least two candidates in the primary. The
747 [machines] tabulators audited under this subdivision shall be selected
748 in a random drawing that is announced in advance to the public and is
749 open to the public. All direct recording electronic voting [machines]
750 tabulators used within an assembly district shall have an equal chance
751 of being selected for the audit. The Secretary of the State shall
752 determine and publicly announce the method of conducting the
753 random drawing, before the election. The manual audit shall consist of
754 a manual tabulation of the contemporaneously produced, individual,
755 permanent, voter-verified, paper records produced by each voting

756 [machine] tabulator subject to the audit and a comparison of such
757 count, with respect to all candidates and any questions or proposals
758 appearing on the ballot, with the electronic vote tabulation reported
759 for such voting [machine] tabulator on the day of the election or
760 primary. Such audit shall not be required if a recanvass has been, or
761 will be, conducted on the voting [machine] tabulator. Such manual
762 audit shall be noticed in advance and be open to public observation. A
763 reconciliation sheet, on a form prescribed by the Secretary of the State,
764 that reports and compares the manual and electronic vote tabulations
765 of each candidate and question or proposal on each such voting
766 [machine] tabulator, along with any discrepancies, shall be prepared
767 by the audit officials, signed and forthwith filed with the town clerk of
768 the municipality and the Secretary of the State. If any
769 contemporaneously produced, individual, permanent, voter-verified,
770 paper record is found to have been damaged, the same procedures
771 described in subdivision (3) of this section for substituting such record
772 with the voting [machine] tabulator generated, individual, permanent,
773 paper record produced by the voting [machine] tabulator bearing the
774 identical [machine] tabulator generated unique identifier as the
775 damaged record shall apply and be utilized by the audit officials to
776 complete the reconciliation. The reconciliation sheet shall be open to
777 public inspection and may be used as prima facie evidence of a
778 discrepancy in any contest arising pursuant to chapter 149. If the audit
779 officials are unable to reconcile the manual count with the electronic
780 vote tabulation and discrepancies, the Secretary of the State shall
781 conduct such further investigation of the voting [machine] tabulator
782 malfunction as may be necessary for the purpose of reviewing whether
783 or not to decertify the voting [machine] tabulator or [machines]
784 tabulators and may order a recanvass in accordance with the
785 provisions of subdivision (4) of this section.

786 (6) The individual, permanent, voter-verified, paper records
787 contemporaneously produced by any direct recording electronic
788 voting [machine] tabulator in use at an election or primary held on or
789 after July 1, 2005, shall be carefully preserved and returned in their

790 designated receptacle in accordance with the requirements of section 9-
791 266, 9-302 or 9-310, whichever is applicable, and may not be opened or
792 destroyed, except during recanvass or manual audit as set forth in this
793 section, for one hundred eighty days following an election or primary
794 that does not include a federal office, pursuant to section 9-310, or for
795 twenty-two months following an election or primary involving a
796 federal office, pursuant to 42 USC 1974, as amended from time to time.

797 (7) Nothing in this section shall preclude any candidate or elector
798 from seeking additional remedies pursuant to chapter 149.

799 (8) After an election or primary, any voting [machine] tabulator may
800 be kept locked for a period longer than that prescribed by sections 9-
801 266, 9-310 and 9-447, if such an extended period is ordered by either a
802 court of competent jurisdiction, the Secretary of the State or the State
803 Elections Enforcement Commission. Either the court, the Secretary of
804 the State or said commission may order an audit of such voting
805 [machines] tabulators to be conducted by such persons as the court, the
806 Secretary of the State or said commission may designate.

807 Sec. 525. Section 9-244 of the general statutes is repealed and the
808 following is substituted in lieu thereof (*Effective from passage*):

809 (a) Such registrars of voters shall give written notice to the
810 chairpersons of the town committees of the political parties of the day
811 and place a [mechanic or mechanics] registrar or registrars will begin
812 the preparation, test voting and sealing of the [machines] tabulators for
813 the election, including any additional [machines] tabulators required
814 under section 9-238. Such notice shall be given at least one day before
815 the work on the preparation of such [machines] tabulators begins.

816 (b) Each such chairperson and any candidate for an office appearing
817 on the ballot may be present, or may designate a watcher who may be
818 present, during the preparation of such [machines] tabulators, but such
819 chairpersons, candidates and watchers shall not interfere with, or
820 assist in, the preparation of the [machines] tabulators.

821 (c) After the [mechanic or mechanics] registrar or registrars have
822 prepared the [machines, (1)] tabulators, the registrars of voters, or their
823 designees [, who shall not include any such mechanics, and (2) all
824 mechanics who prepared such machines shall be present together
825 when the machines are tested and sealed] shall test and seal such
826 tabulators for use in the election. The chairpersons of the town
827 committees of the political parties and any candidate for an office
828 appearing on the ballot may also be present, or may designate a
829 watcher who may be present, during the testing and sealing, but such
830 chairpersons, candidates and watchers shall not interfere with the
831 testing or sealing. All such persons who are present for the testing and
832 sealing of the [machines, except the mechanics,] tabulators shall file a
833 written report, as provided in section 9-245, certifying [(A)] (1) to the
834 numbers of the [machines] tabulators, [(B)] (2) as to whether all the
835 candidate and question counters are set at zero (000), [(C)] (3) as to the
836 numbers registered on the protective counters, if provided, and the
837 numbers on the seals, [(D)] (4) that the ballot [labels are] is properly
838 [placed on the machines] prepared, and [(E)] (5) that the [machines]
839 tabulators have been test-voted and found to be working properly.

840 Sec. 526. Section 9-245 of the general statutes is repealed and the
841 following is substituted in lieu thereof (*Effective from passage*):

842 The reports of the [mechanics] registrars of voters, provided for
843 under section 9-246, and the report provided for under subsection (c)
844 of section 9-244, shall be filed with the municipal clerk and shall be
845 kept by the municipal clerk for at least sixty days after the election for
846 which the [machines] tabulators were so prepared.

847 Sec. 527. Section 9-246 of the general statutes is repealed and the
848 following is substituted in lieu thereof (*Effective from passage*):

849 (a) The [mechanic or mechanics] registrar or registrars shall file a
850 written report of the condition of each [machine] tabulator certifying
851 that (1) they have prepared the [machines] tabulators, (2) all the
852 counters are set at zero (000), (3) [all] the ballot [labels are] is properly

853 placed thereon, (4) the [grouping mechanism] tabulator has been
854 properly adjusted according to the [ballot labels] ballots, and (5) each
855 [machine] tabulator is otherwise in readiness for the election. This
856 report shall include the number of each [machine] tabulator and a
857 statement of any defects or features of the [machine] tabulator that
858 need attention or correction. The [mechanic or mechanics] registrar or
859 registrars shall also place upon each of the [machines] tabulators a
860 numbered [metal] seal, secured in such a way that, before any
861 movement of the registering or voting mechanism can be effected,
862 such seal will be destroyed or broken. All voting [machines] tabulators
863 shall be transferred to the polling places in charge of an elector
864 authorized by the registrars of voters under whose direction the voting
865 [machines] tabulators are to be prepared, as provided in section 9-240a;
866 and such elector shall certify to their delivery in good order.
867 Additional [machines] tabulators required under section 9-238 shall be
868 so located by the registrars of voters as to be available for immediate
869 transfer to the polling places within the municipality. The [mechanic or
870 mechanics] registrar or registrars shall have custody of the keys of the
871 voting [machines only when they are at work on such machines, and
872 immediately thereafter such keys shall be returned to the municipal
873 clerk. The return of such keys shall, in each case, be made before the
874 day of election] tabulators.

875 (b) The [mechanic or mechanics] registrar or registrars shall file a
876 written report detailing any repairs made to a [machine] tabulator on
877 the day of an election. This report shall certify (1) the number of the
878 [machine] tabulator, (2) the time when the problem occurred, (3) a
879 summary description of the work performed, and (4) that no repairs
880 were made to the [machine] tabulator, after any vote was cast on the
881 day of an election, that would affect the manner in which votes were
882 recorded on the [machine] tabulator.

883 Sec. 528. Section 9-247 of the general statutes is repealed and the
884 following is substituted in lieu thereof (*Effective from passage*):

885 The registrars of voters shall, before the day of the election, cause

886 the [mechanic or mechanics to insert on each machine the ballot labels
887 corresponding with the sample diagrams provided and to put each
888 such machine in order in every way and set and adjust the same so
889 that it shall be] test ballots to be inserted in each tabulator to ensure
890 that each tabulator is prepared and ready for use in voting when
891 delivered at the polling place. Such registrars shall cause the [machine]
892 tabulator so [labeled] prepared, in order and set and adjusted, to be
893 delivered at the polling place, together with all necessary furniture and
894 appliances that go with the same, at the room where the election is to
895 be held, not later than six o'clock in the afternoon of the day preceding
896 the election. [Each voting machine shall be furnished with light
897 sufficient to enable electors while voting to read the ballot labels and
898 suitable for use by the election officials in examining the counters. A
899 pencil shall also be provided, within each voting machine, for use in
900 casting a write-in ballot.]

901 Sec. 529. Section 9-248 of the general statutes is repealed and the
902 following is substituted in lieu thereof (*Effective from passage*):

903 When a voting [machine] tabulator is purchased or leased or
904 otherwise provided for use in any municipality, the Secretary of the
905 State shall prepare or approve samples of the following printed matter
906 and supplies and shall furnish one of each to the officials of such
907 municipality who have so provided such [machine] tabulator in
908 accordance with the provisions of section 9-238: (1) Directions for
909 testing and preparing the voting [machines] tabulators for the election;
910 (2) one certificate on which the [mechanic] registrars of voters can
911 certify that [he has] they have properly tested and prepared the
912 [machine] tabulator for the election; (3) one certificate on which some
913 person other than the [mechanic] registrars of voters who prepared the
914 [machine] tabulator can certify that the [machine] tabulator has been
915 examined and found to have been properly prepared for the election;
916 (4) one certificate on which can be certified that party watchers have
917 witnessed the testing and preparing of the [machines] tabulators; (5)
918 one certificate that the [machines] tabulators have been delivered to
919 polling places in good order; (6) one card for each polling place, stating

920 the penalty for tampering with or injuring a voting [machine]
921 tabulator; (7) two seals for sealing the [machine] tabulator; [(8) one
922 envelope in which the keys to the machine can be sealed and delivered
923 to the election officials, such envelope to have printed or written
924 thereon the designation and location of the voting district in which the
925 machine is to be used, the number of the machine, the number shown
926 on the protective counter thereof after the machine has been prepared
927 for the election and the number or other designation on such seal as
928 the machine is sealed with, such envelope to have attached to it a
929 detachable receipt for the delivery of the keys to the voting machine to
930 the election officials; (9) one envelope in which the keys to the voting
931 machine can be returned by the election officials after the election; (10)
932 one card stating the name and telephone number and address of the
933 mechanic on the day of the election; and (11)] and (8) a report of an
934 inspection of the [machines] tabulators by the moderator, registrars
935 and checkers, which inspection shall be made before the opening of the
936 polls. The [municipal clerk] registrars of voters shall, for each election,
937 prepare and furnish said supplies for each voting [machine] tabulator,
938 in conformity with said samples. The [municipal clerk] registrars of
939 voters shall also prepare and furnish to the election officials tally and
940 return blanks [containing the names of all candidates for office on the
941 official ballots,] in such manner as may be directed by the Secretary of
942 the State, except that all blanks furnished by said secretary throughout
943 the state shall be uniform in their printing.

944 Sec. 530. Subsection (a) of section 9-249 of the general statutes is
945 repealed and the following is substituted in lieu thereof (*Effective from*
946 *passage*):

947 (a) Before each election, the registrars of voters [,] and certified
948 moderator [and certified mechanic] shall instruct the election officials.
949 Any provision of the general statutes or of any special act to the
950 contrary notwithstanding, election officials shall be appointed at least
951 twenty days before the election except as provided in section 9-229.
952 The registrars [,] and certified moderator [and certified mechanic] shall
953 instruct each election official who is to serve in a voting district in

954 which a voting [machine] tabulator is to be used in the use of the
955 [machine] tabulator and his duties in connection therewith, and for the
956 purpose of giving such instruction, such instructors shall call such
957 meeting or meetings of the election officials as are necessary. Such
958 instructors shall, without delay, file a report in the office of the
959 municipal clerk and with the Secretary of the State, (1) stating that they
960 have instructed the election officials named in the report and the time
961 and place where such instruction was given, and (2) containing a
962 signed statement from each such election official acknowledging that
963 the official has received such instruction.

964 Sec. 531. Subsection (a) of section 9-249a of the general statutes is
965 repealed and the following is substituted in lieu thereof (*Effective from*
966 *passage*):

967 (a) The names of the parties shall be arranged on the [machines]
968 ballots in the following order:

969 (1) The party whose candidate for Governor polled the highest
970 number of votes in the last-preceding election;

971 (2) Other parties who had candidates for Governor in the last-
972 preceding election, in descending order, according to the number of
973 votes polled for each such candidate;

974 (3) Minor parties who had no candidate for Governor in the last-
975 preceding election;

976 (4) Petitioning candidates with party designation whose names are
977 contained in petitions approved pursuant to section 9-453o, and

978 (5) Petitioning candidates with no party designation whose names
979 are contained in petitions approved pursuant to section 9-453o.

980 Sec. 532. Subsection (a) of section 9-249b of the general statutes is
981 repealed and the following is substituted in lieu thereof (*Effective from*
982 *passage*):

983 (a) If, after applying the provisions of sections 9-249a and 9-453r, the
984 number of party designations and petitioning candidate rows on the
985 ballot exceeds nine, the Secretary of the State may authorize (1) two or
986 more party designations and petitioning candidates to appear on the
987 same row of the [voting machines] ballot, beginning with the ninth
988 row on the [voting machines] ballot and, if necessary, then moving up
989 one or more rows, (2) that an office take two or more columns on the
990 [voting machines] ballot, and (3) that the party designation, or an
991 abbreviation of it, be repeated on the ballot.

992 Sec. 533. Section 9-250a of the general statutes is repealed and the
993 following is substituted in lieu thereof (*Effective from passage*):

994 When a political party has failed to nominate a candidate for any
995 office for which it is entitled to make such nomination, the space on the
996 ballot [label] in which the name of the party's candidate would appear
997 shall be left blank.

998 Sec. 534. Section 9-251 of the general statutes is repealed and the
999 following is substituted in lieu thereof (*Effective from passage*):

1000 In the preparation of [ballot labels] ballots for use at a state election
1001 precedence shall be given to the offices to be voted for at such election
1002 in the following descending order: Presidential electors, Governor and
1003 Lieutenant Governor, United States senator, representative in
1004 Congress, state senator, state representative, Secretary of the State,
1005 Treasurer, Comptroller, Attorney General and judge of probate. In the
1006 preparation of [ballot labels] ballots for use at a municipal election,
1007 unless otherwise provided by law, the order of the offices shall be as
1008 prescribed by the Secretary of the State, which order, so far as
1009 practicable, shall be uniform throughout the state.

1010 Sec. 535. Section 9-255 of the general statutes is repealed and the
1011 following is substituted in lieu thereof (*Effective from passage*):

1012 The board of selectmen or the municipal clerk shall provide for all
1013 polling places using voting [machines] tabulators at least three sample

1014 [ballot labels which shall be arranged in the form of a diagram
1015 showing the entire front of the voting machine as it will appear after
1016 the official ballot labels are arranged for voting on election day or that
1017 portion thereof which will] ballots that shall contain the offices, party
1018 designations, names of candidates, write-in slots and questions to be
1019 voted upon. On each such sample ballot [label] shall be printed
1020 instructions as to the use of the voting [machine] tabulator, which
1021 instructions shall be approved by the Secretary of the State. Such
1022 sample ballot [labels] shall be so posted inside the polling place as to
1023 be visible to those within the polling place during the whole day of
1024 election. At least one of such sample ballot [labels] shall be so posted as
1025 to be visible to an elector being instructed on the [demonstrator or
1026 spare voting machine] use of the voting tabulator under section 9-260.

1027 Sec. 536. Section 9-256 of the general statutes is repealed and the
1028 following is substituted in lieu thereof (*Effective from passage*):

1029 The clerk of each municipality shall, not less than ten days prior to
1030 an election, file with the Secretary of the State a sample ballot [label]
1031 identical with those to be provided for each polling place under section
1032 9-255. The Secretary of the State shall examine the sample ballot [label]
1033 required to be filed under this section, and if such sample ballot [label]
1034 contains an error, the Secretary of the State shall order the municipal
1035 clerk to reprint a corrected sample ballot [label] or to take other such
1036 action as the secretary may deem appropriate.

1037 Sec. 537. Section 9-260 of the general statutes is repealed and the
1038 following is substituted in lieu thereof (*Effective from passage*):

1039 A [metal] demonstrator [machine or spare voting machine] device
1040 shall be provided inside the polling place for the instruction of electors.
1041 [Any such spare voting machine shall not be used for voting and shall
1042 be provided in addition to any additional voting machines required
1043 pursuant to section 9-238.] Any such demonstrator [machine shall
1044 represent at least five office columns of the two upper rows on the
1045 voting machine. Such demonstrator or spare voting machine shall

1046 contain, in each space provided for the name of a party, the
1047 designation "name of party", in each space provided for the name of a
1048 candidate, the designation "name of candidate", in each space
1049 provided for the name of an office, the designation, "office", and in
1050 each space provided for a question, the designation, "Question-
1051 Statement of Question-Yes-No". A spare voting machine provided for
1052 the purposes of this section shall contain, in the upper left-hand corner,
1053 directly opposite the write-in slides, the designation "write-in slides".
1054 The party levers on such demonstrator or spare voting machine shall
1055 be covered. At a primary, each space provided for a question shall be
1056 left blank] device shall instruct electors on the proper method to cast
1057 their vote, including the proper method to cast a write-in vote using
1058 the voting equipment located in each polling place. Upon request by
1059 any elector who desires instruction after he has entered the polling
1060 place and prior to casting his vote, two election officials of different
1061 political parties jointly shall instruct such elector on the demonstrator
1062 [or spare voting machine by causing such elector himself to operate the
1063 parts of such demonstrator or spare voting machine] device.

1064 Sec. 538. Section 9-264 of the general statutes is repealed and the
1065 following is substituted in lieu thereof (*Effective from passage*):

1066 [(a)] An elector who requires assistance to vote, by reason of
1067 blindness, disability or inability to write or to read the ballot, may be
1068 given assistance by a person of the elector's choice, other than (1) the
1069 elector's employer, (2) an agent of such employer or (3) an officer or
1070 agent of the elector's union. The person assisting the elector may
1071 accompany the elector into the voting [machine] booth. Such person
1072 shall register such elector's vote upon the [machine] ballot as such
1073 elector directs. Any person accompanying an elector into the voting
1074 [machine] booth who deceives any elector in registering his vote under
1075 this section or seeks to influence any elector while in the act of voting,
1076 or who registers any vote for any elector or on any question other than
1077 as requested by such elector, or who gives information to any person
1078 as to what person or persons such elector voted for, or how he voted
1079 on any question, shall be fined not more than one thousand dollars or

1080 imprisoned not more than five years or both.

1081 [(b) Paper ballots provided by the municipal clerk to the moderator
1082 pursuant to section 9-259 shall be made available for electors with
1083 disabilities in polling places in which a voting machine cannot be
1084 adjusted to allow all necessary parts to be reached from a chair. Such
1085 paper ballots shall be used at the option of the elector with disabilities.
1086 The elector shall announce the elector's name to the checkers who shall
1087 cross the elector's name off the registry list and add it with the elector's
1088 address to the end of the official checklist where it shall be designated
1089 "paper ballot for persons with disabilities" or "PBD" and serially
1090 numbered. After the elector has so announced the elector's name, the
1091 moderator shall deliver to the elector an absentee ballot and a serially-
1092 numbered envelope. The elector shall forthwith mark the ballot in the
1093 presence of the moderator in such manner that the moderator shall not
1094 know how the ballot is marked. The elector shall fold the ballot in the
1095 presence of the moderator so as to conceal the markings and deposit
1096 and seal it in the serially-numbered envelope. The elector shall deliver
1097 the envelope to the moderator who shall place it in a specially-
1098 designated depository envelope. The paper ballots thus received shall
1099 be counted at the next scheduled absentee ballot count in the same
1100 manner as other absentee ballots. Such ballots so counted shall be
1101 preserved by placing them in the depository envelopes with the
1102 regular absentee ballots, and such serially-numbered envelopes shall
1103 be placed in the depository envelopes with the regular absentee ballot
1104 envelopes.]

1105 Sec. 539. Section 9-266 of the general statutes is repealed and the
1106 following is substituted in lieu thereof (*Effective from passage*):

1107 When the voting tabulator has been locked at the close of an
1108 election, the moderator shall return the keys for the tabulator to the
1109 registrars of voters with the official returns. Except as provided in
1110 section 9-311, such registrars of voters shall securely keep such keys
1111 and not permit the same to be taken, or any tabulator to be unlocked,
1112 for a period of fourteen days from the election, unless otherwise

1113 ordered by a court of competent jurisdiction, the Secretary of the State
1114 or by the State Elections Enforcement Commission. All tabulators shall
1115 be collected immediately on the day after election or as soon thereafter
1116 as possible, and shall be secured and stored in a place or places
1117 directed by the registrars of voters.

1118 Sec. 540. Section 9-267 of the general statutes is repealed and the
1119 following is substituted in lieu thereof (*Effective from passage*):

1120 If, at any time during the performance of his duties, any moderator,
1121 challenger, voting [machine] tabulator tender or checker is, from any
1122 cause, found incompetent, the registrars may remove him and appoint
1123 a competent person in his stead.

1124 Sec. 541. Section 9-272 of the general statutes is repealed and the
1125 following is substituted in lieu thereof (*Effective from passage*):

1126 If, owing to the number of candidates to be voted upon, [or] owing
1127 to inability to obtain a sufficient number of voting tabulators [,] or, if it
1128 is found impracticable to use voting tabulators at any election, primary
1129 or referenda to be held in any municipality, or in one or more of the
1130 voting districts therein, the registrars of voters may discontinue the use
1131 of such tabulators for such election in any of the voting districts
1132 therein, and shall thereupon cause ballots to be procured and used at
1133 such election, [as provided by this part,] primary or referenda in each
1134 of the voting districts wherein the use of voting tabulators has been so
1135 discontinued. The procedures for securing and counting the paper
1136 ballots described in this section shall comply as nearly as may be, in
1137 the manner prescribed by the Secretary of the State, to the counting of
1138 absentee ballots.

1139 Sec. 542. Section 9-307 of the general statutes is repealed and the
1140 following is substituted in lieu thereof (*Effective from passage*):

1141 Immediately after the polls are closed, the official checkers,
1142 appointed under the provisions of section 9-234, shall make and
1143 deliver to the moderator a certificate, in duplicate, stating the whole

1144 number of names on the registry list or enrollment list including, if
1145 applicable, unaffiliated electors authorized under section 9-431 to vote
1146 in the primary, and the number checked as having voted in that
1147 election or primary. For the purpose of computing the whole number
1148 of names on the registry list, the lists of persons who have applied for
1149 presidential or overseas ballots prepared in accordance with section 9-
1150 158h shall be included. Thereupon the registrars or assistant registrars,
1151 as the case may be, acting at the respective polls, shall write and sign
1152 with ink, on the list or lists so used and checked, a certificate of the
1153 whole number of names registered thereon eligible to vote in the
1154 election or primary and the number checked as having voted in that
1155 election or primary, and deposit it in the office of the municipal clerk
1156 of their town on or before the following day. The municipal clerk shall
1157 carefully preserve the same on file, with the marks on it without
1158 alteration, for public inspection, and shall immediately enter a certified
1159 copy of such certificate on the town records. Subject to the provisions
1160 of section 7-109, the municipal clerk may destroy any voting check list
1161 four years after the date upon which it was used. The moderator shall
1162 place one of the duplicate certificates which he received from the
1163 official checkers [in the voting machine] with the voted ballots from
1164 the polling place together with the moderator's return provided for in
1165 sections 9-259 and 9-310 and shall then lock the [machine] tabulator as
1166 provided in section 9-310, and he shall deposit the other of such
1167 duplicate certificates in the office of the municipal clerk on or before
1168 the following day.

1169 Sec. 543. Section 9-308 of the general statutes is repealed and the
1170 following is substituted in lieu thereof (*Effective from passage*):

1171 Immediately on the close of the polls, the election officials shall
1172 proceed to canvass the returns as provided in section 9-309 and shall
1173 not stop for any purpose until the canvass is completed. The room in
1174 which such canvass is made shall be clearly lighted and such canvass
1175 shall be made in plain view of the public. No person or persons,
1176 during the canvass, shall close or cause to be closed the main entrance
1177 to the room in which such canvass is conducted, in such manner as to

1178 prevent ingress or egress thereby, but, during such canvass, no person
1179 other than the election officials shall be permitted to be on the side of
1180 the guard rail where the voting [machine] tabulator is located.

1181 Sec. 544. Section 9-309 of the general statutes is repealed and the
1182 following is substituted in lieu thereof (*Effective from passage*):

1183 As soon as the polls are closed, the moderator, in the presence of the
1184 other election officials, shall immediately lock the voting [machine]
1185 tabulator against voting and immediately [open the counting
1186 compartments, giving a full view of all the counter numbers to all the
1187 election officials present] cause the vote totals for all candidates and
1188 questions to be produced. The moderator shall, in the order of the
1189 offices as their titles are arranged on the [machine] ballot, read and
1190 announce in distinct tones the result as shown, [by the counter
1191 numbers,] giving the number indicated [by each counter] and
1192 indicating the candidate to whom such [counter] total belongs, and
1193 shall read the votes recorded for each office on the [voting machine
1194 ballot label] ballot. He shall also, in the same manner, announce the
1195 vote on each constitutional amendment, proposition or other question
1196 voted on. The vote so announced by the moderator shall be taken
1197 down by each checker and recorded on the tally sheets. Each checker
1198 shall record the number of votes received for each candidate on the
1199 [voting machine ballot label] ballot and also the number received by
1200 each person for whom write-in ballots were cast. The [counter
1201 compartment of the voting machine] result totals shall remain [open]
1202 in full public view until the statement of canvass and all other reports
1203 have been fully completed and signed by the moderator, checkers and
1204 registrars, or assistant registrars, as the case may be. The result of the
1205 votes cast shall be publicly announced by the moderator, who shall
1206 read the name of each candidate, with the designating number and
1207 letter [of his counter and the machine vote registered on such counter]
1208 on the ballot and the absentee vote as furnished the moderator by the
1209 absentee ballot counters; also the vote cast for and against each
1210 question submitted. While such announcement is being made, ample
1211 opportunity shall be given to any person lawfully present to compare

1212 the results so announced with the [counter dials of the machine] result
1213 totals provided by the tabulator and any necessary corrections shall
1214 then and there be made by the moderator, checkers and registrars or
1215 assistant registrars, after which the [doors] compartments of the voting
1216 [machine] tabulator shall be closed and locked. In canvassing,
1217 recording and announcing the result, the election officials shall be
1218 guided by any instructions furnished by the Secretary of the State. [If
1219 the machine is equipped with a device for printing totals of candidate
1220 and question counters, and the device has been made operational at
1221 the instruction of both registrars of voters, the doors concealing the
1222 counters shall not be opened. The printed record produced by the
1223 machine shall be the official return, and the results of the votes as
1224 shown thereon shall be proclaimed in the same manner as herein
1225 provided and ample opportunity shall be given to any person lawfully
1226 present to inspect such printed records. If the moderator finds that the
1227 printed record is not clear, the doors concealing the counters shall be
1228 opened and counting shall proceed as with a machine which does not
1229 have such a device.]

1230 Sec. 545. Section 9-310 of the general statutes is repealed and the
1231 following is substituted in lieu thereof (*Effective from passage*):

1232 As soon as the count is completed and the moderator's return
1233 required under the provisions of section 9-259 has been executed, the
1234 moderator shall place the sealed tabulator in the tabulator bag, and so
1235 seal the bag, and the tabulator shall remain so sealed against voting or
1236 being tampered with for a period of fourteen days, except as provided
1237 in section 9-311 or pursuant to an order issued by the State Elections
1238 Enforcement Commission or the Secretary of the State. If it is
1239 determined that a recanvass is required pursuant to section 9-311 or 9-
1240 311a, immediately upon such determination the tabulators, write-in
1241 ballots, absentee ballots, moderators' returns and all other notes,
1242 worksheets or written materials used at the election shall be
1243 impounded at the direction of the Secretary of the State. Such package
1244 shall be preserved for one hundred eighty days after such election and
1245 may be opened and its contents examined in accordance with section

1246 9-311 or upon an order of a court of competent jurisdiction. At the end
1247 of one hundred eighty days, unless otherwise ordered by the court,
1248 such package and its contents may be destroyed. Any person who
1249 unlocks the voting or operating mechanism of the tabulator or the
1250 counting compartment after it has been locked as above directed or
1251 breaks or destroys or tampers with the seal after it has been affixed as
1252 above directed or changes the indication of the counters on any voting
1253 tabulator within fourteen days after the election or within any longer
1254 period during which the tabulator is kept locked as ordered by a court
1255 of competent jurisdiction, the Secretary of the State or by the State
1256 Elections Enforcement Commission in any special case, except as
1257 provided in section 9-311, shall be imprisoned for not more than five
1258 years. Any tabulator may be released in less than fourteen days, for
1259 use in another election, by order of a court, if there is no disagreement
1260 as to the returns from such machine and no order directing
1261 impoundment has been issued by the State Elections Enforcement
1262 Commission.

1263 Sec. 546. Section 9-311a of the general statutes is repealed and the
1264 following is substituted in lieu thereof (*Effective from passage*):

1265 For purposes of this section, state, district and municipal offices
1266 shall be as defined in section 9-372 except that the office of presidential
1267 elector shall be deemed a state office. Forthwith after a regular or
1268 special election for municipal office, or forthwith upon tabulation of
1269 the vote for state and district offices by the Secretary of the State, when
1270 at any such election the plurality of an elected candidate for an office
1271 over the vote for a defeated candidate receiving the next highest
1272 number of votes was either (1) less than a vote equivalent to one-half
1273 of one per cent of the total number of votes cast for the office but not
1274 more than two thousand votes, or (2) less than twenty votes, there
1275 shall be a recanvass of the returns of the voting [machine] tabulator or
1276 voting [machines] tabulators and absentee ballots used in such election
1277 for such office unless such defeated candidate or defeated candidates,
1278 as the case may be, for such office file a written statement waiving this
1279 right to such canvass with the municipal clerk in the case of a

1280 municipal office, or with the Secretary of the State in the case of a state
1281 or district office. In the case of state and district offices, the Secretary of
1282 the State upon tabulation of the votes for such offices shall notify the
1283 town clerks in the state or district, as the case may be, of the state and
1284 district offices which qualify for an automatic recanvass and shall also
1285 notify each candidate for any such office. When a recanvass is to be
1286 held the municipal clerk shall promptly notify the moderator, as
1287 defined in section 9-311, who shall proceed forthwith to cause a
1288 recanvass of such returns of the office in question in the same manner
1289 as is provided in said section 9-311. In addition to the notice required
1290 under section 9-311, the moderator shall before such recanvass is made
1291 give notice in writing of the time when, and place where, such
1292 recanvass is to be made to each candidate for a municipal office which
1293 qualifies for an automatic recanvass under this section. Nothing in this
1294 section shall preclude the right to judicial proceedings on behalf of a
1295 candidate under any provision of chapter 149. For the purposes of this
1296 section, "the total number of votes cast for the office" means in the case
1297 of multiple openings for the same office, the total number of electors
1298 checked as having voted in the state, district, municipality or political
1299 subdivision, as the case may be. When a recanvass of the returns for an
1300 office for which there are multiple openings is required by the
1301 provisions of this section, the returns for all candidates for all openings
1302 for the office shall be recanvassed. No one other than a recanvass
1303 official shall take part in the recanvass. If any irregularity in the
1304 recanvass procedure is noted by a candidate, he shall be permitted to
1305 present evidence of such irregularity in any contest relating to the
1306 election.

1307 Sec. 547. Section 9-323 of the general statutes is repealed and the
1308 following is substituted in lieu thereof (*Effective from passage*):

1309 Any elector or candidate who claims that he is aggrieved by any
1310 ruling of any election official in connection with any election for
1311 presidential electors and for a senator in Congress and for
1312 representative in Congress or any of them, held in his town, or that
1313 there was a mistake in the count of the votes cast at such election for

1314 candidates for such electors, senator in Congress and representative in
1315 Congress, or any of them, at any voting district in his town, or any
1316 candidate for such an office who claims that he is aggrieved by a
1317 violation of any provision of section 9-355, 9-357 to 9-361, inclusive, 9-
1318 364, 9-364a or 9-365 in the casting of absentee ballots at such election,
1319 may bring his complaint to any judge of the Supreme Court, in which
1320 he shall set out the claimed errors of such election official, the claimed
1321 errors in the count or the claimed violations of said sections. In any
1322 action brought pursuant to the provisions of this section, the
1323 complainant shall send a copy of the complaint by first-class mail, or
1324 deliver a copy of the complaint by hand, to the State Elections
1325 Enforcement Commission. If such complaint is made prior to such
1326 election, such judge shall proceed expeditiously to render judgment on
1327 the complaint and shall cause notice of the hearing to be given to the
1328 Secretary of the State and the State Elections Enforcement Commission.
1329 If such complaint is made subsequent to the election, it shall be
1330 brought not later than fourteen days after the election or, if such
1331 complaint is brought in response to the manual tabulation of paper
1332 ballots authorized pursuant to section 9-320f, such complaint shall be
1333 brought not later than seven days after the close of any such manual
1334 tabulation, and in either such circumstance, the judge shall forthwith
1335 order a hearing to be had upon such complaint, upon a day not more
1336 than five or less than three days from the making of such order, and
1337 shall cause notice of not less than three or more than five days to be
1338 given to any candidate or candidates whose election may be affected
1339 by the decision upon such hearing, to such election official, to the
1340 Secretary of the State, to the State Elections Enforcement Commission
1341 and to any other party or parties whom such judge deems proper
1342 parties thereto, of the time and place for the hearing upon such
1343 complaint. Such judge, with two other judges of the Supreme Court to
1344 be designated by the Chief Court Administrator, shall, on the day fixed
1345 for such hearing and without unnecessary delay, proceed to hear the
1346 parties. If sufficient reason is shown, such judges may order any voting
1347 [machines] tabulators to be unlocked or any ballot boxes to be opened
1348 and a recount of the votes cast, including absentee ballots, to be made.

1349 Such judges shall thereupon, in the case they, or any two of them, find
1350 any error in the rulings of the election official, any mistake in the count
1351 of such votes or any violation of said sections, certify the result of their
1352 finding or decision, or the finding or decision of a majority of them, to
1353 the Secretary of the State before the first Monday after the second
1354 Wednesday in December. Such judges may order a new election or a
1355 change in the existing election schedule, provided such order complies
1356 with Section 302 of the Help America Vote Act, P.L. 107-252, as
1357 amended from time to time. Such certificate of such judges, or a
1358 majority of them, shall be final upon all questions relating to the
1359 rulings of such election officials, to the correctness of such count and,
1360 for the purposes of this section only, such claimed violations, and shall
1361 operate to correct the returns of the moderators or presiding officers so
1362 as to conform to such finding or decision.

1363 Sec. 548. Section 9-324 of the general statutes is repealed and the
1364 following is substituted in lieu thereof (*Effective from passage*):

1365 Any elector or candidate who claims that such elector or candidate
1366 is aggrieved by any ruling of any election official in connection with
1367 any election for Governor, Lieutenant Governor, Secretary of the State,
1368 State Treasurer, Attorney General, State Comptroller or judge of
1369 probate, held in such elector's or candidate's town, or that there has
1370 been a mistake in the count of the votes cast at such election for
1371 candidates for said offices or any of them, at any voting district in such
1372 elector's or candidate's town, or any candidate for such an office who
1373 claims that such candidate is aggrieved by a violation of any provision
1374 of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the
1375 casting of absentee ballots at such election or any candidate for the
1376 office of Governor, Lieutenant Governor, Secretary of the State, State
1377 Treasurer, Attorney General or State Comptroller, who claims that
1378 such candidate is aggrieved by a violation of any provision of sections
1379 9-700 to 9-716, inclusive, may bring such elector's or candidate's
1380 complaint to any judge of the Superior Court, in which such elector or
1381 candidate shall set out the claimed errors of such election official, the
1382 claimed errors in the count or the claimed violations of said sections. In

1383 any action brought pursuant to the provisions of this section, the
1384 complainant shall send a copy of the complaint by first-class mail, or
1385 deliver a copy of the complaint by hand, to the State Elections
1386 Enforcement Commission. If such complaint is made prior to such
1387 election, such judge shall proceed expeditiously to render judgment on
1388 the complaint and shall cause notice of the hearing to be given to the
1389 Secretary of the State and the State Elections Enforcement Commission.
1390 If such complaint is made subsequent to the election, it shall be
1391 brought not later than fourteen days after the election or, if such
1392 complaint is brought in response to the manual tabulation of paper
1393 ballots authorized pursuant to section 9-320f, such complaint shall be
1394 brought not later than seven days after the close of any such manual
1395 tabulation and, in either such circumstance, such judge shall forthwith
1396 order a hearing to be had upon such complaint, upon a day not more
1397 than five nor less than three days from the making of such order, and
1398 shall cause notice of not less than three nor more than five days to be
1399 given to any candidate or candidates whose election may be affected
1400 by the decision upon such hearing, to such election official, the
1401 Secretary of the State, the State Elections Enforcement Commission and
1402 to any other party or parties whom such judge deems proper parties
1403 thereto, of the time and place for the hearing upon such complaint.
1404 Such judge shall, on the day fixed for such hearing and without
1405 unnecessary delay, proceed to hear the parties. If sufficient reason is
1406 shown, such judge may order any voting [machines] tabulators to be
1407 unlocked or any ballot boxes to be opened and a recount of the votes
1408 cast, including absentee ballots, to be made. Such judge shall
1409 thereupon, in case such judge finds any error in the rulings of the
1410 election official, any mistake in the count of the votes or any violation
1411 of said sections, certify the result of such judge's finding or decision to
1412 the Secretary of the State before the fifteenth day of the next
1413 succeeding December. Such judge may order a new election or a
1414 change in the existing election schedule. Such certificate of such judge
1415 of such judge's finding or decision shall be final and conclusive upon
1416 all questions relating to errors in the rulings of such election officials,
1417 to the correctness of such count, and, for the purposes of this section

1418 only, such claimed violations, and shall operate to correct the returns
1419 of the moderators or presiding officers, so as to conform to such
1420 finding or decision, unless the same is appealed from as provided in
1421 section 9-325.

1422 Sec. 549. Section 9-328 of the general statutes is repealed and the
1423 following is substituted in lieu thereof (*Effective from passage*):

1424 Any elector or candidate claiming to have been aggrieved by any
1425 ruling of any election official in connection with an election for any
1426 municipal office or a primary for justice of the peace, or any elector or
1427 candidate claiming that there has been a mistake in the count of votes
1428 cast for any such office at such election or primary, or any candidate in
1429 such an election or primary claiming that he is aggrieved by a violation
1430 of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-
1431 364a or 9-365 in the casting of absentee ballots at such election or
1432 primary, may bring a complaint to any judge of the Superior Court for
1433 relief therefrom. In any action brought pursuant to the provisions of
1434 this section, the complainant shall send a copy of the complaint by
1435 first-class mail, or deliver a copy of the complaint by hand, to the State
1436 Elections Enforcement Commission. If such complaint is made prior to
1437 such election or primary, such judge shall proceed expeditiously to
1438 render judgment on the complaint and shall cause notice of the hearing
1439 to be given to the Secretary of the State and the State Elections
1440 Enforcement Commission. If such complaint is made subsequent to
1441 such election or primary, it shall be brought not later than fourteen
1442 days after such election or primary, except that if such complaint is
1443 brought in response to the manual tabulation of paper ballots,
1444 authorized pursuant to section 9-320f, such complaint shall be brought
1445 not later than seven days after the close of any such manual tabulation,
1446 to any judge of the Superior Court, in which he shall set out the
1447 claimed errors of the election official, the claimed errors in the count or
1448 the claimed violations of said sections. Such judge shall forthwith
1449 order a hearing to be had upon such complaint, upon a day not more
1450 than five nor less than three days from the making of such order, and
1451 shall cause notice of not less than three nor more than five days to be

1452 given to any candidate or candidates whose election or nomination
1453 may be affected by the decision upon such hearing, to such election
1454 official, the Secretary of the State, the State Elections Enforcement
1455 Commission and to any other party or parties whom such judge deems
1456 proper parties thereto, of the time and place for the hearing upon such
1457 complaint. Such judge shall, on the day fixed for such hearing and
1458 without unnecessary delay, proceed to hear the parties. If sufficient
1459 reason is shown, he may order any voting [machines] tabulators to be
1460 unlocked or any ballot boxes to be opened and a recount of the votes
1461 cast, including absentee ballots, to be made. Such judge shall
1462 thereupon, if he finds any error in the rulings of the election official or
1463 any mistake in the count of the votes, certify the result of his finding or
1464 decision to the Secretary of the State before the tenth day succeeding
1465 the conclusion of the hearing. Such judge may order a new election or
1466 primary or a change in the existing election schedule. Such certificate
1467 of such judge of his finding or decision shall be final and conclusive
1468 upon all questions relating to errors in the ruling of such election
1469 officials, to the correctness of such count, and, for the purposes of this
1470 section only, such claimed violations, and shall operate to correct the
1471 returns of the moderators or presiding officers, so as to conform to
1472 such finding or decision, except that this section shall not affect the
1473 right of appeal to the Supreme Court and it shall not prevent such
1474 judge from reserving such questions of law for the advice of the
1475 Supreme Court as provided in section 9-325. Such judge may, if
1476 necessary, issue his writ of mandamus, requiring the adverse party
1477 and those under him to deliver to the complainant the appurtenances
1478 of such office, and shall cause his finding and decree to be entered on
1479 the records of the Superior Court in the proper judicial district.

1480 Sec. 550. Subsection (b) of section 9-329a of the general statutes is
1481 repealed and the following is substituted in lieu thereof (*Effective from*
1482 *passage*):

1483 (b) Such judge shall forthwith order a hearing to be held upon such
1484 complaint upon a day not more than five nor less than three days after
1485 the making of such order, and shall cause notice of not less than three

1486 days to be given to any candidate or candidates in any way directly
1487 affected by the decision upon such hearing, to such election official, to
1488 the Secretary of the State, the State Elections Enforcement Commission
1489 and to any other person or persons, whom such judge deems proper
1490 parties thereto, of the time and place of the hearing upon such
1491 complaint. Such judge shall, on the day fixed for such hearing, and
1492 without delay, proceed to hear the parties and determine the result. If,
1493 after hearing, sufficient reason is shown, such judge may order any
1494 voting [machines] tabulators to be unlocked or any ballot boxes to be
1495 opened and a recount of the votes cast, including absentee ballots, to
1496 be made. Such judge shall thereupon, if he finds any error in the ruling
1497 of the election official, any mistake in the count of the votes or any
1498 violation of said sections, certify the result of his finding or decision to
1499 the Secretary of the State before the tenth day following the conclusion
1500 of the hearing. Such judge may (1) determine the result of such
1501 primary; (2) order a change in the existing primary schedule; or (3)
1502 order a new primary if he finds that but for the error in the ruling of
1503 the election official, any mistake in the count of the votes or any
1504 violation of said sections, the result of such primary might have been
1505 different and he is unable to determine the result of such primary.

1506 Sec. 551. Section 9-329b of the general statutes is repealed and the
1507 following is substituted in lieu thereof (*Effective from passage*):

1508 At any time prior to a primary held pursuant to sections 9-423, 9-425
1509 and 9-464, or a special act or prior to any election, the Superior Court
1510 may issue an order removing a candidate from a ballot [label] where it
1511 is shown that said candidate is improperly on the ballot.

1512 Sec. 552. Section 9-330 of the general statutes is repealed and the
1513 following is substituted in lieu thereof (*Effective from passage*):

1514 Any judge having jurisdiction over any action brought under
1515 section 9-323, 9-324, 9-328 or 9-329a shall have the power, if sufficient
1516 reason is shown, to order the examination and testing of any voting
1517 [machines] tabulators.

1518 Sec. 553. Section 9-332 of the general statutes is repealed and the
1519 following is substituted in lieu thereof (*Effective from passage*):

1520 If the electors fail to choose a candidate for any office by reason of
1521 an equality of votes at any election, and no provision is otherwise
1522 made by law for the election of a candidate to such office, such election
1523 shall stand adjourned for three weeks at the same hour at which the
1524 first election was held. [Ballot labels] Ballots of the same form and
1525 description as described in sections 9-250 to 9-256, inclusive, except
1526 that such [ballot labels] ballots shall contain only the names of the
1527 candidates for whom the same are to be voted, shall be used in the
1528 election on such adjourned day, and the election shall be conducted in
1529 the same manner as on the first day, except that the votes shall be cast
1530 for such officer only. [Ballot labels] Ballots for such election shall be
1531 provided forthwith by the clerk of the municipality wherein such
1532 election stands adjourned, and such clerk shall furnish the Secretary of
1533 the State with an accurate list of all candidates to be voted for at such
1534 adjourned election. The clerk of the municipality wherein such election
1535 so stands adjourned shall, at least three days prior to the day of such
1536 adjourned election, give notice of the day, hours, place and purpose
1537 thereof by publishing such notice in a newspaper published in such
1538 municipality or having a circulation therein. No such election shall be
1539 held if prior to such election all but one of the candidates for such
1540 office die, withdraw their names or for any reason become disqualified
1541 to hold such office, and, in such event, the remaining candidate shall
1542 be deemed to be lawfully elected to such office. No withdrawal shall
1543 be valid until the candidate who has withdrawn has filed a letter of
1544 withdrawal signed by such candidate with the Secretary of the State or,
1545 in the case of a municipal office, until the candidate who has
1546 withdrawn has filed a letter of withdrawal signed by such candidate
1547 with the municipal clerk. When such an election is required to be held
1548 under the provisions of this section for any office other than a
1549 municipal office, and prior to such election all but one of the
1550 candidates for such office die, withdraw their names or for any reason
1551 become disqualified to hold such office, the Secretary of the State shall

1552 forthwith notify the clerk of each municipality wherein such election
1553 was to have been held of such fact, and shall forthwith direct each such
1554 clerk that such election shall not be held. In the case of a multiple
1555 opening office only the names of those candidates whose votes are
1556 equal shall be placed on the ballot [label] of the adjourned election.

1557 Sec. 554. Section 9-352 of the general statutes is repealed and the
1558 following is substituted in lieu thereof (*Effective from passage*):

1559 Any election official who, with intent to cause or permit any voting
1560 [machine] tabulator to fail to correctly register all votes cast thereon,
1561 tampers with or disarranges such [machine] tabulator in any way or
1562 any part or appliance thereof, or causes such [machine] tabulator to be
1563 used or consents to its being used for voting at any election with
1564 knowledge of the fact that the same is not in order, or not perfectly set
1565 and adjusted to correctly register all votes cast thereon, or who, for the
1566 purpose of defrauding or deceiving any elector or of causing it to be
1567 doubtful for what candidate or candidates or proposition any vote is
1568 cast, or causing it to appear upon such [machine] tabulator that votes
1569 cast for one candidate or proposition were cast for another candidate
1570 or proposition, removes, changes or mutilates any ballot [label on such
1571 machine or any part thereof,] shall be fined not more than one
1572 thousand dollars or imprisoned not more than five years or both.

1573 Sec. 555. Section 9-353 of the general statutes is repealed and the
1574 following is substituted in lieu thereof (*Effective from passage*):

1575 Any election official who, at the close of the polls, purposely causes
1576 the vote registered on the [machine] tabulator to be incorrectly taken
1577 down as to any candidate or proposition voted on, or who knowingly
1578 causes to be made or signed any false statement, certificate or return of
1579 any kind, of such vote, or who knowingly consents to any such act,
1580 shall be fined not more than one thousand dollars or imprisoned not
1581 more than five years or both.

1582 Sec. 556. Section 9-354 of the general statutes is repealed and the
1583 following is substituted in lieu thereof (*Effective from passage*):

1584 Any person who prints or causes to be printed upon any official
1585 ballot [label] the name of any person not a candidate of a party whose
1586 name is printed at the head of the column containing such nominees or
1587 who prints or causes to be printed any authorized ballot [label] in any
1588 manner other than that prescribed by the Secretary of the State shall be
1589 fined not less than one hundred dollars nor more than one thousand
1590 dollars or be imprisoned not more than five years or be both fined and
1591 imprisoned.

1592 Sec. 557. Section 9-363 of the general statutes is repealed and the
1593 following is substituted in lieu thereof (*Effective from passage*):

1594 Any person who, with intent to defraud any elector of his vote or
1595 cause any elector to lose his vote or any part thereof, gives in any way,
1596 or prints, writes or circulates, or causes to be written, printed or
1597 circulated, any improper, false, misleading or incorrect instructions or
1598 advice or suggestions as to the manner of voting on any [machine]
1599 tabulator, the following of which or any part of which would cause
1600 any elector to lose his vote or any part thereof, or would cause any
1601 elector to fail in whole or in part to register or record the same on the
1602 [machine] tabulator for the candidates of his choice, shall be fined not
1603 more than five hundred dollars or be imprisoned not more than five
1604 years or be both fined and imprisoned.

1605 Sec. 558. Section 9-366 of the general statutes is repealed and the
1606 following is substituted in lieu thereof (*Effective from passage*):

1607 Any person who induces or attempts to induce any elector to write,
1608 paste or otherwise place, on a write-in ballot voted on a voting
1609 [machine] tabulator at any election, any name, sign or device of any
1610 kind, as a distinguishing mark by which to indicate to another how
1611 such elector voted, or enters into or attempts to form any agreement or
1612 conspiracy with any person to induce or attempt to induce electors or
1613 any elector to so place any distinguishing mark on such ballot, or
1614 attempts to induce any elector to do anything with a view to enabling
1615 another person to see or know for what persons or any of them such

1616 elector votes on such [machine] tabulator, or enters into or attempts to
1617 form any agreement or conspiracy to induce any elector to do any act
1618 for the purpose of enabling another person or persons to see or know
1619 for what person or persons such elector votes, or attempts to induce
1620 any person to place himself in such position, or to do any other act for
1621 the purpose of enabling him to see or know for what candidates any
1622 elector other than himself votes on such [machine] tabulator, or
1623 himself attempts to get in such position to do any act so that he will be
1624 enabled to see or know how any elector other than himself votes on
1625 such [machine] tabulator, or does any act which invades or interferes
1626 with the secrecy of the voting or causes the same to be invaded or
1627 interfered with, shall be imprisoned not more than five years.

1628 Sec. 559. Section 9-367 of the general statutes is repealed and the
1629 following is substituted in lieu thereof (*Effective from passage*):

1630 Any person, not being an election official, who, during any election
1631 or before any election [, after a voting machine has had placed upon it
1632 the ballot label for such election,] tampers with [such machine] a
1633 voting tabulator, disarranges, defaces, injures or impairs the same in
1634 any manner, or mutilates, injures or destroys any ballot [label placed
1635 thereon or to be placed thereon,] or any other appliance used in
1636 connection with such [machine] tabulator, shall be imprisoned for not
1637 more than five years.

1638 Sec. 560. Section 9-369 of the general statutes is repealed and the
1639 following is substituted in lieu thereof (*Effective from passage*):

1640 Whenever at any regular or special state or municipal election any
1641 vote for approval or disapproval of any constitutional amendment or
1642 any question or proposal is taken pursuant to the Constitution, the
1643 general statutes or any special act, unless otherwise provided, such
1644 election shall be warned and held, the vote on such amendment,
1645 question or proposal cast and canvassed and the result determined and
1646 certified as nearly as may be in accordance with the provisions
1647 governing the election of officers in the state or in such municipality.

1648 The warning for such election shall state that a purpose of such
1649 election is to vote for the approval or disapproval of such amendment,
1650 question or proposal and shall state the section of the Constitution or
1651 of the general statutes or the special act under authority of which such
1652 vote is taken. The vote on such amendment, question or proposal shall
1653 be taken by a "Yes" and "No" vote on the voting [machine] tabulator,
1654 and the designation of such amendment, question or proposal on the
1655 [voting machine ballot label] ballot shall be "Shall (here insert the
1656 question or proposal, followed by a question mark)". Such ballot [label]
1657 shall be provided for use in accordance with the provisions of section
1658 9-250. The municipal clerk shall number on the ballot [label] the
1659 questions to be voted upon according to the order in which they will
1660 appear thereon, provided amendments to the Constitution shall be
1661 numbered by the Secretary of the State in numerical order based upon
1662 the dates on which resolutions proposing such amendments were
1663 passed, precedence being given to the earliest passed unless otherwise
1664 provided by the resolutions proposing such amendments. Each elector
1665 shall vote "Yes" if in favor of the amendment, question or proposal or
1666 "No" if not in favor thereof. [The registrars of voters shall cause an
1667 adhesive label, three inches high by four inches wide, upon which
1668 shall be imprinted, in clearly discernible lettering, the words "Vote on
1669 the Questions" to be affixed to the upper left-hand corner of each such
1670 voting machine, directly opposite the spaces provided for the
1671 amendment, question or proposal. Such adhesive labels shall be
1672 provided by the Secretary of the State upon receipt of a written order
1673 therefor from the registrars of voters, which order shall specify the
1674 number of such labels required.] If, upon the official determination of
1675 the result of such vote, it appears that a majority of all the votes so cast
1676 are in approval of such amendment, question or proposal, such
1677 amendment, question or proposal shall, unless otherwise provided,
1678 take effect forthwith.

1679 Sec. 561. Subsections (b) and (c) of section 9-369a of the general
1680 statutes are repealed and the following is substituted in lieu thereof
1681 (*Effective from passage*):

1682 (b) When the clerk of the municipality determines that the necessary
1683 action has been taken for submission of the question, he shall, at least
1684 forty-five days prior to the election, file in the office of the Secretary of
1685 the State a statement setting forth the designation of the question as it
1686 is to appear on the [voting machine ballot labels] ballot at the election,
1687 the date upon which the submitting action was taken and the reference
1688 to the law under which the action was taken. Such designation shall be
1689 in the form of a question, as provided in section 9-369. Whenever it is
1690 specifically provided in the general statutes that any such question
1691 may be approved for such submission within the period of forty-five
1692 days prior to such an election, and action is taken to submit a question
1693 within such period, the clerk of the municipality shall file the
1694 statement required by this subsection with the Secretary of the State
1695 immediately upon the taking of such action.

1696 (c) When action is taken for submission of a question, from the time
1697 of such action through the day of the election, the clerk of the
1698 municipality shall make the full text of the question and the
1699 designation which is to appear upon the [voting machine ballot labels]
1700 ballot available for public inspection. If the designation is not
1701 prescribed by law, the clerk shall phrase the designation of the
1702 question in a form suitable for printing on the ballot. [label.] The
1703 warning of the election shall include a statement that the question is to
1704 be voted upon, the designation of the question to appear on the ballot
1705 [labels,] and a statement that the full text of the question is available
1706 for public inspection in the clerk's office.

1707 Sec. 562. Subsection (c) of section 9-369c of the general statutes is
1708 repealed and the following is substituted in lieu thereof (*Effective from*
1709 *passage*):

1710 (c) Upon receipt of the written form of the question or proposal to
1711 be voted on at any such referendum, the municipal clerk shall
1712 immediately prepare and print absentee ballots for the referendum.
1713 The phrasing of the question or proposal on the absentee ballots shall
1714 be identical to the phrasing on the ballot [or ballot label] to be used for

1715 voting in person at the referendum.

1716 Sec. 563. Subsection (b) of section 9-369d of the general statutes is
1717 repealed and the following is substituted in lieu thereof (*Effective from*
1718 *passage*):

1719 (b) (1) The procedures set forth in this subsection shall only apply if
1720 a municipality so chooses and only upon approval of such procedure
1721 by its legislative body or in any town in which the legislative body is a
1722 town meeting, by the board of selectmen.

1723 (2) Voters who are not electors shall vote by separate voting
1724 [machine] tabulator or paper ballot, containing solely the question, at
1725 one separate location which may be a separate room in the location at
1726 which electors vote. Such separate location shall be treated as a
1727 separate voting district and polling place for such voters, except that
1728 the registrars of voters shall appoint a moderator who shall be the
1729 head moderator for the purpose of this question only, and such other
1730 officials as the registrars deem necessary. The moderator of such
1731 separate location shall add the results of the vote by electors on the
1732 question to the results of the vote by voters who are not electors, and
1733 shall file such results in the office of the municipal clerk. The
1734 moderator of such separate location shall be the moderator for the
1735 purposes of a recanvass of a close vote on such question under section
1736 9-370a. The head moderator of the town shall indicate on the return of
1737 vote of such question filed with the Secretary of the State that such
1738 return does not include the return of vote of voters who are not
1739 electors.

1740 Sec. 564. Section 9-371b of the general statutes is repealed and the
1741 following is substituted in lieu thereof (*Effective from passage*):

1742 Any person (1) claiming to have been aggrieved by any ruling of
1743 any election official in connection with a referendum, (2) claiming that
1744 there has been a mistake in the count of votes cast for a referendum, or
1745 (3) claiming to be aggrieved by a violation of any provision of section
1746 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of

1747 absentee ballots at a referendum, may bring a complaint to any judge
1748 of the Superior Court for relief from such ruling, mistake or violation.
1749 In any action brought pursuant to the provisions of this section, the
1750 complainant shall send a copy of the complaint by first class mail, or
1751 deliver a copy of the complaint by hand, to the State Elections
1752 Enforcement Commission. If such complaint is made prior to such
1753 referendum, such judge shall proceed expeditiously to render
1754 judgment on the complaint and shall cause notice of the hearing to be
1755 given to the Secretary of the State and the State Elections Enforcement
1756 Commission. If such complaint is made subsequent to such
1757 referendum, it shall be brought within thirty days after such
1758 referendum to any judge of the Superior Court, in which the person
1759 shall set out the claimed errors of the election official, the claimed
1760 errors in the count or the claimed violations of said sections. Such
1761 judge shall forthwith order a hearing to be held upon such complaint,
1762 upon a day not more than five or less than three days from the making
1763 of such order, and shall cause notice of not less than three or more than
1764 five days to be given to any person who may be affected by the
1765 decision upon such hearing, to such election official, the Secretary of
1766 the State, the State Elections Enforcement Commission and to any
1767 other party or parties whom such judge deems proper parties to the
1768 hearing, of the time and place for the hearing upon such complaint.
1769 Such judge shall, on the day fixed for such hearing and without
1770 unnecessary delay, proceed to hear the parties. If sufficient reason is
1771 shown, such judge may order any voting [machines] tabulator to be
1772 unlocked or any ballot boxes to be opened and a recount of the votes
1773 cast, including absentee ballots, to be made. Such judge shall, if such
1774 judge finds any error in the rulings of the election official or any
1775 mistake in the count of the votes, certify the result of such judge's
1776 finding or decision to the Secretary of the State before the tenth day
1777 succeeding the conclusion of the hearing. Such judge may order a new
1778 referendum or a change in the existing referendum schedule. Such
1779 certificate of such judge's finding or decision shall be final and
1780 conclusive upon all questions relating to errors in the ruling of such
1781 election officials, to the correctness of such count, and, for the purposes

1782 of this section only, such claimed violations, and shall operate to
1783 correct the returns of the moderators or presiding officers, so as to
1784 conform to such finding or decision, except that this section shall not
1785 affect the right of appeal to the Supreme Court and it shall not prevent
1786 such judge from reserving such questions of law for the advice of the
1787 Supreme Court as provided in section 9-325. Such judge may, if
1788 necessary, issue a writ of mandamus, requiring the adverse party and
1789 those under such judge to deliver to the complainant the
1790 appurtenances of such office, and shall cause such judge's finding and
1791 decree to be entered on the records of the Superior Court in the proper
1792 judicial district.

1793 Sec. 565. Subdivision (15) of section 9-372 of the general statutes is
1794 repealed and the following is substituted in lieu thereof (*Effective from*
1795 *passage*):

1796 (15) "Votes cast for the same office at the last-preceding election" or
1797 "votes cast for all candidates for such office at the last-preceding
1798 election" means, in the case of multiple openings for the same office,
1799 the total number of electors checked as having voted at the last-
1800 preceding election at which such office appeared on the ballot. [label.]

1801 Sec. 566. Section 9-377 of the general statutes is repealed and the
1802 following is substituted in lieu thereof (*Effective from passage*):

1803 At a primary votes may be cast and counted only for duly qualified
1804 candidates at such primary whose names appear on the ballot [label]
1805 on primary day. [The write-in slides shall be covered on voting
1806 machines used at a primary, and no write-in spaces shall appear on the
1807 absentee ballots used at a primary] No write-in spaces shall appear on
1808 the ballots used at a primary.

1809 Sec. 567. Subsection (a) of section 9-400 of the general statutes is
1810 repealed and the following is substituted in lieu thereof (*Effective from*
1811 *passage*):

1812 (a) A candidacy for nomination by a political party to a state office

1813 may be filed by or on behalf of any person whose name appears upon
1814 the last-completed enrollment list of such party in any municipality
1815 within the state and who has either (1) received at least fifteen per cent
1816 of the votes of the convention delegates present and voting on any roll-
1817 call vote taken on the endorsement or proposed endorsement of a
1818 candidate for such state office, whether or not the party-endorsed
1819 candidate for such office received a unanimous vote on the last ballot,
1820 or (2) circulated a petition and obtained the signatures of at least two
1821 per cent of the enrolled members of such party in the state, in
1822 accordance with the provisions of sections 9-404a to 9-404c, inclusive.
1823 Candidacies described in subdivision (1) of this subsection shall be
1824 filed by submitting to the Secretary of the State not later than four
1825 o'clock p.m. on the fourteenth day following the close of the state
1826 convention, a certificate, signed by such candidate and attested by
1827 either (A) the chairman or presiding officer, or (B) the secretary of the
1828 convention, that such candidate received at least fifteen per cent of
1829 such votes, and that such candidate consents to be a candidate in a
1830 primary of such party for such state office. Such certificate shall specify
1831 the candidate's name as the candidate authorizes it to appear on the
1832 ballot, the candidate's full residence address and the title of the office
1833 for which the candidacy is being filed. A single such certificate or
1834 petition for state office may be filed on behalf of two or more
1835 candidates for different state offices who consent to have their names
1836 appear on a single row of the primary ballot [label] under subsection
1837 (b) of section 9-437. Candidacies described in subdivision (2) of this
1838 subsection shall be filed by submitting said petition not later than four
1839 o'clock p.m. on the sixty-third day preceding the day of the primary
1840 for such office to the registrar of voters of the towns in which the
1841 respective petition pages were circulated. Each registrar shall file each
1842 page of such petition with the Secretary in accordance with the
1843 provisions of section 9-404c. A petition filed by or on behalf of a
1844 candidate for state office shall be invalid for such candidate if such
1845 candidate is certified as the party-endorsed candidate pursuant to
1846 section 9-388 or as receiving at least fifteen per cent of the convention
1847 vote for such office pursuant to this subsection. Except as provided in

1848 section 9-416a, upon the expiration of the time period for party
1849 endorsement and circulation and tabulation of petitions and
1850 signatures, if any, if one or more candidacies for such state office have
1851 been filed pursuant to the provisions of this section, the Secretary of
1852 the State shall notify all town clerks in accordance with the provisions
1853 of section 9-433, that a primary for such state office shall be held in
1854 each municipality in accordance with the provisions of section 9-415.

1855 Sec. 568. Section 9-426 of the general statutes is repealed and the
1856 following is substituted in lieu thereof (*Effective from passage*):

1857 If only one candidacy has been filed by a person other than a party-
1858 endorsed candidate for the nomination by a political party to a
1859 particular office and the candidate whose candidacy has been so filed
1860 thereafter, but prior to the opening of the polls at such primary, dies,
1861 withdraws his name from nomination or for any reason becomes
1862 disqualified to hold the office for which he is a candidate, no primary
1863 shall be held for the nomination of such party to that office and the
1864 party-endorsed candidate for such office shall be deemed to have been
1865 lawfully chosen in the same manner and to the same extent as is
1866 provided in sections 9-382 to 9-450, inclusive, in the case where no
1867 candidacy other than a party-endorsed candidacy has been filed. If
1868 candidacies have been filed by only one group of persons other than
1869 party-endorsed candidates for election to a town committee, and the
1870 candidates whose candidacies have been so filed thereafter, but prior
1871 to the opening of the polls at such primary, die, withdraw their names
1872 from nomination or for any reason become disqualified to hold the
1873 positions for which they are candidates, so as to render the number of
1874 candidacies so filed less than twenty-five per cent of the number of
1875 town committee members to be elected by such party either in the
1876 municipality or in the political subdivision, as the case may be, no
1877 primary shall be held for those positions and the party-endorsed
1878 candidates for such positions shall be deemed to have been lawfully
1879 chosen in the same manner and to the same extent as is provided in
1880 sections 9-382 to 9-450, inclusive, in the case where no candidacies
1881 other than party-endorsed candidacies have been filed. If any person

1882 on a slate, prior to the opening of the polls at such primary, dies,
1883 withdraws his name from nomination or for any reason becomes
1884 disqualified to hold the position for which he is a candidate, such
1885 partial slate shall appear on the ballot [label] at the primary and, if
1886 such partial slate wins, then the remaining members may fill the
1887 vacancy. If only one such slate other than a slate of party-endorsed
1888 candidates has been filed for election and prior to the opening of the
1889 polls at such primary each of the persons on such slate dies, withdraws
1890 or becomes disqualified, no primary shall be held for those positions
1891 and the party-endorsed candidates for those positions shall be deemed
1892 to have been lawfully chosen in the same manner and to the same
1893 extent as is provided in sections 9-382 to 9-450, inclusive, in the case
1894 where no candidacies other than party-endorsed candidacies have
1895 been filed.

1896 Sec. 569. Section 9-434 of the general statutes is repealed and the
1897 following is substituted in lieu thereof (*Effective from passage*):

1898 Upon the filing with the clerk of a municipality of the names of
1899 party-endorsed candidates pursuant to section 9-390 or upon the filing
1900 with such clerk of petitions for contesting candidates pursuant to
1901 section 9-412, such clerk shall verify and correct the names of such
1902 candidates in accordance with the registry list of such municipality,
1903 endorse the same as having been so verified and corrected and use the
1904 same in the preparation of the [ballot labels] ballots for the primary.
1905 The provisions of this section shall not apply to the municipal offices of
1906 state senator and state representative.

1907 Sec. 570. Section 9-435 of the general statutes is repealed and the
1908 following is substituted in lieu thereof (*Effective from passage*):

1909 Except as provided in sections 9-418 and 9-419, if in any
1910 municipality, within the time specified in section 9-405, a candidacy for
1911 nomination by a political party to any municipal office or for election
1912 as a town committee member is filed with the registrar, in conformity
1913 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-

1914 414, by or on behalf of any person other than party-endorsed
1915 candidates, the registrar shall forthwith after the deadline for
1916 certification of party-endorsed candidates notify the clerk of such
1917 municipality that a primary is to be held by such party for the
1918 nomination of such party to such office or for the election by such
1919 party of town committee members, as the case may be. Such notice
1920 shall include a list of all the proposed candidates, those endorsed as
1921 well as those filing candidacies, together with their addresses and the
1922 titles of the offices or positions for which they are candidates. In the
1923 case of a primary for justices of the peace, such notice shall also contain
1924 the complete ballot [label] designation of each slate pursuant to
1925 subsection (h) of section 9-437. The clerk of the municipality shall
1926 thereupon cause such notice to be published forthwith in a newspaper
1927 having a general circulation in such municipality, together with a
1928 statement of the date upon which the primary is to be held, the hours
1929 during which the polls shall be open and the location of the polls, and
1930 shall send a copy of such notice to the Secretary of the State and record
1931 the same. The clerk shall forthwith publish any change in the proposed
1932 candidates, listing such changes.

1933 Sec. 571. Section 9-437 of the general statutes is repealed and the
1934 following is substituted in lieu thereof (*Effective from passage*):

1935 (a) At the top of each ballot [label] shall be printed the name of the
1936 party holding the primary, and each ballot [label] shall contain the
1937 names of all candidates to be voted upon at such primary, except the
1938 names of justices of the peace. The vertical columns shall be headed by
1939 the designation of the office or position and instructions as to the
1940 number for which an elector may vote for such office or position, in the
1941 same manner as a ballot [label] used in a regular election. The name of
1942 each candidate for town committee or municipal office, except for the
1943 municipal offices of state senator and state representative, shall appear
1944 on the ballot [label] as it appears on the registry list of such candidate's
1945 town of voting residence, except as provided in section 9-42a. The
1946 name of each candidate for state or district office or for the municipal
1947 offices of state senator or state representative shall appear on the ballot

1948 as it appears on the certificate or statement of consent filed under
1949 section 9-388, 9-391, 9-400 or 9-409. On the first horizontal line, below
1950 the designation of the office or position in each column, shall be placed
1951 the name of the party-endorsed candidate for such office or position,
1952 such name to be marked with an asterisk; provided, where more than
1953 one person may be voted for for any office or position, the names of
1954 the party-endorsed candidates shall be arranged in alphabetical order
1955 from left to right under the appropriate office or position designation
1956 and shall continue, if necessary, from left to right on the next lower
1957 line or lines. In the case of no party endorsement there shall be inserted
1958 the designation "no party endorsement" at the head of the vertical
1959 column, immediately beneath the designation of the office or position.
1960 On the horizontal lines below the line for party-endorsed candidates
1961 shall be placed, in the appropriate columns, the names of all other
1962 candidates as hereinafter provided.

1963 (b) (1) In the case of two or more such candidates for the same state
1964 or district office, precedence as to row shall be determined by the
1965 alphabetical order of the surnames of such candidates, except as
1966 provided under subdivision (2) of this subsection. (2) If a single
1967 certificate or a single petition has been filed under subsection (a) of
1968 section 9-400 on behalf of two or more candidates and proposing one
1969 candidate for each state office to be contested at such primary, a single
1970 row shall be used for the names of such candidates and precedence as
1971 to row between such certificates and petitions shall be determined by
1972 the Secretary of the State by lot in a ceremony which shall be open to
1973 the public. The names of all other candidates for state office shall be
1974 placed in the appropriate columns in alphabetical order on the rows
1975 below the row or rows used for candidates whose names are contained
1976 in such a single certificate, certificates, single petition or petitions.

1977 (c) Whenever the position of candidates or slates on the ballot [label]
1978 under the provisions of this section is affected by the time or order of
1979 filing of primary petitions, and the registrar of voters certifies in
1980 writing to the town clerk that (1) two or more of the petitions to which
1981 such provisions apply were filed simultaneously or (2) he is unable to

1982 determine the time or order of filing of two or more such petitions,
1983 then for purposes of this section the order of filing of the petitions
1984 specified in the registrar's certification shall be determined by the town
1985 clerk by lot in a ceremony which shall be open to the public.

1986 (d) In the case of candidates for municipal office, a single row shall
1987 be used for the candidates whose names are contained in one primary
1988 petition, provided such petition proposes at least two candidates and
1989 the full number of candidates for each office to be contested at such
1990 primary as the party may nominate or choose thereat, precedence as to
1991 row being given to the candidates whose names appear in the first
1992 such petition filed, and so on in descending order.

1993 (e) The names of candidates for town committee members which are
1994 contained in one primary petition shall be placed in a separate row,
1995 precedence as to row being given to the candidates whose names
1996 appear in petitions in the order determined in accordance with this
1997 subsection. Petitions filed by nine o'clock a.m. on the first business day
1998 following the day on which petitions become available shall be given
1999 precedence as to row based on the number of valid signatures filed, in
2000 descending order from the greatest to the least. Petitions filed after
2001 nine o'clock a.m. on the first business day following the day on which
2002 petitions become available shall be given precedence as to row based
2003 on the order in which they are filed, if such petitions are filed during
2004 the regular business hours of the office of the registrars of voters or
2005 during any different hours for said office required under the general
2006 statutes. Such order of precedence shall be determined separately for
2007 petitions proposing the full number of candidates which the party may
2008 choose at the primary and for petitions proposing fewer than such full
2009 number of candidates, and provided further that petitions proposing
2010 such full number of candidates shall have precedence as to row over
2011 petitions proposing fewer than such full number of candidates.

2012 (f) Within such row or rows for those whose names are contained in
2013 one primary petition, where more than one person may be voted for
2014 any municipal office or position, such names shall be arranged in

2015 alphabetical order from left to right under the appropriate municipal
2016 office or position designation. The names of all other candidates shall
2017 be placed in the appropriate columns in alphabetical order on the
2018 horizontal lines below the line or lines used for candidates whose
2019 names are contained in one primary petition, if any; provided where
2020 more than one person may be voted for for any office or position, such
2021 names shall be arranged in alphabetical order from left to right under
2022 the appropriate office or position designation and shall continue, if
2023 necessary, from left to right on the next lower line or lines.

2024 (g) The name of each candidate shall appear on the ballot [label] in
2025 such position as is hereinbefore required, and such position shall be
2026 determined as of the final time for filing candidacies specified in
2027 section 9-400 or 9-405. Vacancies in candidacies thereafter occurring
2028 shall not cause the position of any candidate's name on the ballot
2029 [label] to be changed to another position. The name of any candidate
2030 whose candidacy has been vacated shall not appear on the ballot.
2031 [label. The voting machine pointer over each position where no
2032 candidate's name appears shall be locked so that no vote can be cast for
2033 such position.] If such a vacancy results in the cancellation of a
2034 primary for any office, the office column or columns where the names
2035 of the candidates and the title of the office would have appeared if the
2036 primary for that office had not been cancelled shall be left blank. If a
2037 vacancy occurs in a party-endorsed candidacy and a person is chosen
2038 in accordance with section 9-426 or 9-428 to fill the resulting vacancy in
2039 candidacy, the name of the person so chosen shall appear in the same
2040 position as that in which the name of the vacating candidate appeared.
2041 The municipal clerk shall have the ballot [label] prepared so that the
2042 name of any candidate who has vacated his candidacy is deleted and
2043 so that the name of any candidate chosen to fill a vacancy in candidacy
2044 appears in the same position as that in which the vacated candidacy
2045 appeared. The municipal clerk may use blank or printed stickers, as
2046 the case may be, in preparing the [ballot labels] ballots if the [ballot
2047 labels] ballots were printed before the occurrence of the vacancy in
2048 candidacy or the selection of a candidate to fill a vacancy in candidacy.

2049 The order of the offices and positions shall be as prescribed by the
2050 Secretary of the State.

2051 (h) The names of candidates for election as justices of the peace shall
2052 not appear on the ballot. [label.] A single vertical column shall be used
2053 for all the candidates for election to the office of justice the peace of a
2054 particular town. The vertical column used for justices of the peace shall
2055 be headed by the words "justices of the peace". On the first horizontal
2056 line in the vertical column used for justice of the peace shall be placed
2057 the words "party-endorsed slate". On the second and succeeding
2058 horizontal lines, in the order of the time of filing, shall be placed the
2059 words "challenge slate", preceded, in quotation marks, by the letter
2060 designating such line. The municipal clerk shall prepare a list of the
2061 names of all candidates on each slate for election as justices of the
2062 peace, including the complete ballot [label] designation of each such
2063 slate as provided in this subsection, which shall be posted in the
2064 polling places by each moderator for the inspection of the electors
2065 prior to voting.

2066 (i) The names of candidates for nomination to any elective office or
2067 for election as members of a town committee, as the case may be, shall
2068 be separated from each other by a light line, but shall not be separated
2069 from each other on the ballot [label] by names of candidates for any
2070 other office or position or by columns used for any other office or
2071 position; and the column or columns used for each office or position
2072 shall be separated from the columns used for other offices or positions
2073 by a heavy line.

2074 (j) All [ballot labels] ballots used at a primary shall be prepared by
2075 the clerk of the municipality in which such primary is held and shall be
2076 printed at the expense of the municipality. Each municipality shall
2077 provide for all polling places:

2078 (1) At least forty-eight hours before the primary, such clerk shall
2079 have a sample ballot [labels] for general distribution, which shall [be
2080 arranged in the form of a diagram showing the entire front of the

2081 voting machine as it will appear after the official ballot labels are
2082 arranged for voting on the day of the primary or that portion thereof
2083 that will] contain the offices or positions and names of candidates to be
2084 voted upon. Each such sample ballot [label] shall also include printed
2085 instructions approved by the Secretary of the State concerning the use
2086 of the voting [machine] tabulator and information concerning the date
2087 of the primary and the hours during which polling places will be open.
2088 Such clerk shall have available for distribution such number of sample
2089 [ballot labels] ballots as he deems advisable, but in no event less than
2090 three which shall be posted inside the polling place so as to be visible
2091 to those within the polling place during the whole day of the primary.
2092 At least one of such sample [ballot labels] ballots shall be posted so as
2093 to be visible to an elector being instructed on the demonstrator [or
2094 spare voting machine] device, pursuant to section 9-260, as amended
2095 by this act. If paper ballots are used in any primary, such sample paper
2096 ballots shall be overprinted with the word "Sample";

2097 (2) Instructions on how to cast a provisional ballot, as prescribed by
2098 the Secretary of the State;

2099 (3) Instructions for mail-in registrants and first-time voters who
2100 register to vote by mail on or after January 1, 2003, as prescribed by the
2101 Secretary of the State;

2102 (4) General information concerning voting rights under federal and
2103 Connecticut laws, including information on the right of an individual
2104 to cast a provisional ballot and instructions on how to contact the
2105 appropriate officials if such rights are alleged to have been violated, as
2106 prescribed by the Secretary of the State; and

2107 (5) General information on federal and state laws concerning
2108 prohibitions on acts of fraud and misrepresentation, as prescribed by
2109 the Secretary of the State.

2110 (k) When unaffiliated electors are authorized under section 9-431 to
2111 vote for some but not all offices to be contested at a primary, (1)
2112 separate voting [machines] tabulators shall be used for the unaffiliated

2113 electors in a voting district, (2) the ballot [label] shall indicate that it is a
2114 partial ballot for unaffiliated electors, (3) the ballot [label] shall contain
2115 only the offices and names of candidates for which such electors may
2116 vote, with blank columns left wherever necessary to assure that each
2117 candidate's position is the same as on the full ballot for such primary
2118 in the voting district, and (4) three sample [ballot labels] ballots
2119 showing such partial ballot shall also be posted inside the polling place
2120 so as to be visible to such unaffiliated electors.

2121 Sec. 572. Section 9-440 of the general statutes is repealed and the
2122 following is substituted in lieu thereof (*Effective from passage*):

2123 Upon the closing of the polls at any primary held under sections 9-
2124 382 to 9-450, inclusive, the moderator, in the presence of the other
2125 officials, shall immediately lock the voting [machines] tabulators
2126 against voting and shall then proceed to ascertain, record and
2127 announce the result in the manner provided by law for ascertaining,
2128 recording and announcing the result in regular elections. The election
2129 officials shall execute certificates and returns similar to those required
2130 in regular elections. The moderator in each town not divided into
2131 voting districts, and the head moderator in each town divided into
2132 voting districts, shall transmit the results of the vote for each office
2133 contested at any such primary in the same manner and within the
2134 same time as provided under section 9-314 in an election for such
2135 office. The late filing fee provided under section 9-314 shall apply to
2136 late filing of results of primaries for state or district office. In the case of
2137 primaries for state or district offices, the Secretary of the State shall
2138 forthwith cause to be tabulated the result of the votes cast in the
2139 several municipalities in which such primaries have been held and
2140 shall publicly declare the result thereof, and a certificate attesting
2141 thereto shall be entered in his records.

2142 Sec. 573. Section 9-445 of the general statutes is repealed and the
2143 following is substituted in lieu thereof (*Effective from passage*):

2144 Forthwith after a primary for nomination to a municipal office or for

2145 election of members of a town committee, or forthwith upon tabulation
2146 of the vote for a state or district office by the Secretary of the State
2147 when the plurality of an elected or nominated candidate over the vote
2148 for a defeated candidate receiving the next highest number of votes
2149 was either (1) less than a vote equivalent to one-half of one per cent of
2150 the total number of votes cast at the primary for the office or position
2151 but not more than one thousand votes, or (2) less than twenty votes,
2152 there shall be a recanvass of the returns of the voting [machine]
2153 tabulator or voting [machines] tabulators used in such primary for said
2154 office or position unless within one day after the primary, in the case of
2155 nomination to a municipal office or for election of members of a town
2156 committee, or prior to the time the Secretary of the State notifies the
2157 town clerk of state and district offices which qualify for an automatic
2158 recanvass, the defeated candidate or defeated candidates, as the case
2159 may be, for such office or position file a written statement waiving this
2160 right to such recanvass with the municipal clerk in the case of a
2161 municipal office or town committee, or with the Secretary of the State
2162 in the case of a state or district office. In the case of a state or district
2163 office, the Secretary of the State upon tabulation of the votes for such
2164 an office shall notify the town clerks in the state or district, as the case
2165 may be, of the state and district offices which qualify for an automatic
2166 recanvass and shall also notify each candidate for any such office.
2167 When a recanvass is to be held the municipal clerk shall promptly
2168 notify the moderator, as defined in section 9-311, who shall proceed
2169 forthwith to recanvass such returns of the office in question in the
2170 same manner as is provided for a recanvass in regular elections, except
2171 that the recanvass officials shall be divided equally, as nearly as may
2172 be, among the candidates for such office. In addition to the notice
2173 required under section 9-311, the moderator shall, before such
2174 recanvass is made, give notice in writing of the time and place of such
2175 recanvass to each candidate for a municipal office which qualifies for
2176 an automatic recanvass under this section. For purposes of this section,
2177 "the total number of votes cast at the primary for the office or position"
2178 means in the case of multiple openings for the same office or position,
2179 the total number of electors checked as having voted in the primary, in

2180 the state, district, municipality or political subdivision, as the case may
2181 be. When a recanvass of the returns for an office for which there are
2182 multiple openings is required by the provisions of this section, the
2183 returns for all candidates for all openings for the office shall be
2184 recanvassed. Nothing in this section shall preclude the right to judicial
2185 proceedings in behalf of such defeated candidate under any provision
2186 of this chapter.

2187 Sec. 574. Section 9-446 of the general statutes is repealed and the
2188 following is substituted in lieu thereof (*Effective from passage*):

2189 (a) If two or more candidates obtain the same number of votes at a
2190 primary held to nominate candidates for a state or district office, and a
2191 tie vote thereby occurs, any of such candidates, or the state chairman
2192 of the political party, may apply for a recanvass of the returns in the
2193 manner provided in section 9-445. If no such application is made, or if
2194 any such recanvass results in a tie vote, such primary shall stand
2195 adjourned for three weeks at the same hour at which the first primary
2196 was held. [Ballot labels] Ballots of the same form and description as
2197 described in section 9-437 shall be used in the primary on such
2198 adjourned day, and the primary shall be conducted in the same
2199 manner as on the first day, except that the votes shall be cast for such
2200 office only. [Ballot labels] Ballots for such primary shall be provided
2201 forthwith by the clerk of each municipality wherein such primary
2202 stands adjourned, and each such clerk shall furnish the Secretary of the
2203 State with an accurate list of all candidates to be voted for at such
2204 adjourned primary. The clerk of each municipality in the state or the
2205 district, whichever is applicable, wherein such primary so stands
2206 adjourned shall, at least three days prior to the day of such adjourned
2207 primary, give notice of the day, hours, place and purpose thereof by
2208 publishing such notice in a newspaper published in such municipality
2209 or having a circulation therein. No such primary shall be held if prior
2210 to such primary all but one of the candidates for such office die,
2211 withdraw their names or for any reason become disqualified to hold
2212 such office, and, in such event, the remaining candidate shall be
2213 deemed to be lawfully voted upon as the candidate for such office. No

2214 withdrawal shall be valid until the candidate who has withdrawn has
2215 filed a letter of withdrawal signed by such candidate with the
2216 Secretary of the State. When such a primary is required to be held
2217 under the provisions of this section and prior to such primary all but
2218 one of the candidates for such office die, withdraw their names or for
2219 any reason become disqualified to hold such office, the Secretary of the
2220 State shall forthwith notify the municipal clerk of such fact, and shall
2221 forthwith direct the clerk that such primary shall not be held. In the
2222 case of a multiple-opening office only the names of those candidates
2223 whose votes are equal shall be placed on the ballot [label] of the
2224 adjourned primary. If such second primary results in a tie vote, the
2225 Secretary of the State, in the presence of not fewer than three
2226 disinterested persons, and after notification to the candidates obtaining
2227 the same number of votes and the chairperson of the state central
2228 committee of the party holding the primary of the time when and the
2229 place where such tie vote is to be dissolved, shall dissolve such tie vote
2230 by lot. The Secretary of the State shall execute a certificate attesting to
2231 the result of the dissolution of such tie vote, and the person so certified
2232 or the slate so certified as having been chosen by lot shall be deemed to
2233 have received a plurality of the votes cast and shall be deemed to have
2234 been chosen as the nominee of such party to such office.

2235 (b) If two or more candidates obtain the same number of votes at a
2236 primary held to nominate candidates for a municipal office or to elect
2237 members of a town committee, or if two or more slates of candidates
2238 obtain the same number of votes at a primary held for justices of the
2239 peace, and a tie vote thereby occurs, any of such candidates, or the
2240 town chairman of the political party, may apply for a recanvass of the
2241 returns in the manner provided in section 9-445. If no such application
2242 is made, or if any such recanvass results in a tie vote, such primary
2243 shall stand adjourned for three weeks at the same hour at which the
2244 first primary was held. [Ballot labels] Ballots of the same form and
2245 description as described in section 9-437 shall be used in the primary
2246 on such adjourned day, and the primary shall be conducted in the
2247 same manner as on the first day, except that the votes shall be cast for

2248 such office only. [Ballot labels] Ballots for such primary shall be
2249 provided forthwith by the clerk of the municipality wherein such
2250 primary stands adjourned, and such clerk shall furnish the Secretary of
2251 the State with an accurate list of all candidates to be voted for at such
2252 adjourned primary. The clerk of the municipality wherein such
2253 primary so stands adjourned shall, at least three days prior to the day
2254 of such adjourned primary, give notice of the day, hours, place and
2255 purpose thereof by publishing such notice in a newspaper published in
2256 such municipality or having a circulation therein. No such primary
2257 shall be held if prior to such primary all but one of the candidates for
2258 such office die, withdraw their names or for any reason become
2259 disqualified to hold such office, and, in such event, the remaining
2260 candidate shall be deemed to be lawfully voted upon as the candidate
2261 for such office. No withdrawal shall be valid until the candidate who
2262 has withdrawn has filed a letter of withdrawal signed by such
2263 candidate with the municipal clerk. When such a primary is required
2264 to be held under the provisions of this section and prior to such
2265 primary all but one of the candidates for such office die, withdraw
2266 their names or for any reason become disqualified to hold such office,
2267 the Secretary of the State shall forthwith notify the municipal clerk of
2268 such fact, and shall forthwith direct the clerk that such primary shall
2269 not be held. In the case of a multiple-opening office only the names of
2270 those candidates whose votes are equal shall be placed on the ballot
2271 [label] of the adjourned primary. If such second primary results in a tie
2272 vote, the registrar, in the presence of not fewer than three disinterested
2273 persons, and after notification to the candidates obtaining the same
2274 number of votes and the chairperson of the town committee of the
2275 party holding the primary of the time when and the place where such
2276 tie vote is to be dissolved, shall dissolve such tie vote by lot. The
2277 registrar shall execute a certificate attesting to the result of the
2278 dissolution of such tie vote, and the person so certified or the slate so
2279 certified as having been chosen by lot shall be deemed to have received
2280 a plurality of the votes cast and shall be deemed to have been chosen
2281 as the nominee of such party to such office.

2282 Sec. 575. Section 9-447 of the general statutes is repealed and the
2283 following is substituted in lieu thereof (*Effective from passage*):

2284 The voting [machines] tabulators used in any primary shall not be
2285 unlocked for a period of fourteen days from the date of the primary,
2286 unless otherwise ordered by any judge of the Superior Court, the
2287 Secretary of the State or by the State Elections Enforcement
2288 Commission. If a contest or investigation is pending, such [machines]
2289 tabulators shall not be unlocked for such longer period of time as may
2290 be ordered by any judge of the Superior Court, unless a recanvass has
2291 been applied for under the provisions of section 9-445 or unless an
2292 order has been issued by the State Elections Enforcement Commission.

2293 Sec. 576. Section 9-453d of the general statutes is repealed and the
2294 following is substituted in lieu thereof (*Effective from passage*):

2295 Each petition shall be signed by a number of qualified electors equal
2296 to the lesser of (1) one per cent of the votes cast for the same office or
2297 offices at the last-preceding election, or the number of qualified
2298 electors prescribed by section 9-380 with regard to newly-created
2299 offices, or (2) seven thousand five hundred. "Qualified electors" means
2300 electors eligible to vote for all the candidates proposed by the petition.
2301 "Votes cast for the same office at the last-preceding election" means, in
2302 the case of multiple openings for the same office, the total number of
2303 electors checked as having voted at the last-preceding election at
2304 which such office appeared on the ballot. [label.]

2305 Sec. 577. Subsection (b) of section 9-453r of the general statutes is
2306 repealed and the following is substituted in lieu thereof (*Effective from*
2307 *passage*):

2308 (b) On the horizontal rows below the rows so used for candidates, if
2309 any, who are so entitled to a party designation on the [voting
2310 machines] ballot, shall be placed, in the appropriate office columns, the
2311 names of candidates contained in petitions approved pursuant to
2312 section 9-453o bearing no party designation. Such candidates shall not
2313 be entitled to separate rows. Precedence as to horizontal row between

2314 or among such candidates shall be determined, if necessary, by the
2315 order in which their applications for petitions were filed with the
2316 Secretary of the State from the earliest to the latest; provided that
2317 within any such horizontal row the names of as many of such
2318 candidates for the same multiple-opening office as such row will
2319 accommodate shall be placed before placing the names of other such
2320 candidates for such office on the next such row. The order of the names
2321 of such candidates for the same multiple-opening office, within and
2322 between any such horizontal rows, shall be determined by the
2323 registrars of voters by lot in a ceremony which shall be open to the
2324 public. The registrars of voters shall provide at least five days public
2325 notice for each such ceremony. Each row in which a candidate's name
2326 appears who is not entitled to a party designation shall be labeled
2327 "Petitioning Candidates", the print of which shall correspond to that
2328 used for party designations.

2329 Sec. 578. Section 9-453s of the general statutes is repealed and the
2330 following is substituted in lieu thereof (*Effective from passage*):

2331 Vacancies in candidacies occurring after all nominating petitions
2332 have been approved under section 9-453o, shall not cause the position
2333 of any candidate's name on the ballot [label] to be changed to another
2334 position unless a blank row on the [machine] ballot results from such
2335 vacancy or vacancies in which case the position of candidates
2336 appearing on lines under the blank row may change if the consent of
2337 all candidates involved in such a change is filed in the Secretary of the
2338 State's office prior to the time for printing and filing sample [ballot
2339 labels] ballots with said secretary. The name of any candidate whose
2340 candidacy has been vacated shall not appear on the ballot, [label. The
2341 voting machine pointer over each position where no candidate's name
2342 appears shall be locked so that no vote can be cast in that position.]

2343 Sec. 579. Section 9-470 of the general statutes is repealed and the
2344 following is substituted in lieu thereof (*Effective from passage*):

2345 The secretary shall determine by lot, in a public ceremony held on

2346 the thirty-fifth day preceding the day of the primary, the order in
2347 which the names of the candidates will appear on the ballot of each
2348 party at such primary; provided that the category "uncommitted" shall
2349 appear last on such ballots. Notwithstanding any provision of the
2350 general statutes to the contrary, no candidate shall be designated on
2351 the ballot as the party-endorsed candidate. The names of such
2352 candidates shall appear, in the order so determined by the secretary, in
2353 the first vertical column of the [voting machine] ballot. Such column
2354 shall be designated "Nomination for President of the United States";
2355 provided if the number of candidates is such that there is an
2356 insufficient number of places in such column, the secretary shall
2357 determine whether the names of the candidates shall also extend, in
2358 the order so determined, to the second and succeeding columns as
2359 may be necessary, or shall appear on the first and succeeding
2360 horizontal rows as may be necessary. Such columns or rows shall be
2361 designated as hereinabove provided. Except as otherwise provided in
2362 this chapter, the form of the ballot shall be prescribed by the secretary
2363 and shall conform, as nearly as may be, to the provisions of section 9-
2364 437.

2365 Sec. 580. Section 9-476 of the general statutes is repealed and the
2366 following is substituted in lieu thereof (*Effective from passage*):

2367 Except as otherwise provided in this chapter, the provisions of
2368 chapter 145 and chapter 153 concerning absentee voting at primaries,
2369 conduct of primaries and return and tabulation of the vote at such
2370 primaries shall apply as nearly as practicable and in the manner
2371 prescribed by the secretary, to a presidential preference primary. The
2372 primary officials of each party for each polling place shall be as
2373 specified in section 9-436, except that (1) the appointment of assistant
2374 registrars of voters and absentee ballot counters shall be permitted but
2375 not required, (2) the minimum number of official checkers shall be one,
2376 (3) the minimum number of voting [machine] tabulator tenders shall
2377 be one for each two voting [machines] tabulators in use, (4) if two
2378 parties are holding primaries and the registrars of voters of such
2379 parties so agree, such registrars may jointly appoint (A) one enrolled

2380 member of either party to serve as moderator of both primaries and (B)
2381 one enrolled member of either party to serve as head moderator of
2382 both primaries, (5) notwithstanding any reduction in the number of
2383 primary officials as permitted by this section, any duty required of
2384 primary officials by the general statutes may be performed by one or
2385 more primary officials, at the direction of the registrar of voters of the
2386 party of such officials and (6) the registrar of voters shall have the sole
2387 power to appoint such officials. In making such appointments the
2388 registrar shall attempt, to the extent practicable, to provide
2389 representation for each candidate at each polling place. The provisions
2390 of section 9-436a shall apply to each candidate whose name appears on
2391 the ballot, except that each such candidate, through his authorized or
2392 known representative, may submit to the registrar the name of one
2393 designee as candidate checker for each polling place, and the registrar
2394 shall appoint such designee as candidate checker for such candidate.
2395 Notwithstanding the provisions of section 9-438, the polls shall be
2396 open for voting at the primary between the hours of six o'clock a.m.
2397 and eight o'clock p.m. The moderator or head moderator of the
2398 primary in each town shall prepare duplicate lists of returns in the
2399 manner provided by section 9-440, but notwithstanding the provisions
2400 of said section, he shall hand deliver one of such lists to either the
2401 secretary or the state police by two o'clock p.m. of the day following
2402 the primary. Any moderator or head moderator, as the case may be,
2403 who fails to deliver such list to either the secretary or the state police
2404 by such time shall pay a late filing fee of fifty dollars.

2405 Sec. 581. Sections 9-6a, 9-243, 9-270, 9-271 and 9-273 to 9-306,
2406 inclusive, of the general statutes are repealed. (*Effective from passage*)"